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THE

LAW REPORTS.

The Public General Statutes

PASSED IN THE FOURTEENTH AND FIFTEENTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH.

1924.

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OF

THE TITLES OF THE PUBLIC GENERAL ACTS

passed in the THIRTY-THIRD PARLIAMENT of the UNITED KINGDOM of GREAT BRITAIN and IRELAND.

14 & 15 GEORGE 5.—A.D. 1924.

14 GEORGE 5.

1. An Act to repeal proviso (2) to section two of the Unemployment Insurance Act, 1923. (*Unemployment Insurance Act*, 1924.)

2. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-four. (*Consolidated Fund* (*No.* 1).)

3. An Act to remove temporarily the limit on the moneys provided by Parliament for the purposes of the Diseases of Animals Acts, 1894 to 1922. (*Diseases of Animals Act*, 1924.)

4. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty-four, and one thousand nine hundred and twenty-five. (*Consolidated Fund* (*No.* 2).)

5. An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force. (*Army and Air Force* (*Annual*).)

6. An Act to extend the periods for which the receipt of unemployment benefit during the current benefit year may be authorised under section two of the Unemployment Insurance Act, 1923. (*Unemployment Insurance* (*No.* 3).)

7. An Act to carry into effect a Treaty of Peace between His Majesty and certain other Powers, and certain conventions, protocols, and declarations connected therewith. (*Treaty of Peace* (*Turkey*).)

14 & 15 GEORGE 5.

8. An Act to amend the Trade Facilities Acts, 1921 and 1922, to authorise the Treasury to contribute towards the interest payable on certain loans, the application of which is calculated to promote employment in the United Kingdom, to extend the periods during which guarantees may respectively be given and remain in force under the Overseas Trade Acts, 1920 to 1922, and to amend section three of the Trade Facilities and Loans Guarantee Act, 1922 (Session 2). (*Trade Facilities.*)

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30. An Act to amend the Unemployment Insurance Acts, 1920 to 1924. (*Unemployment Insurance* (*No.* 2).)

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36. An Act to amend the Local Authorities Loans (Scotland) Acts, 1891 and 1893. (*Local Authorities Loans* (*Scotland*).)

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THE

PUBLIC GENERAL STATUTES.

[14 Geo. 5.]

CHAPTER 1.

An Act to repeal proviso (2) to section two of the Unemployment Insurance Act, 1923.

[21st February 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Repeal of 13 & 14 Geo. 5. c. 2. s. 2 (2).

1. Proviso (2) to section two of the Unemployment Insurance Act, 1923 (which relates to the conditions for receipt of benefit in the year following the fourth special period) shall cease to have effect on and after the twenty-first day of February, nineteen hundred and twenty-four.

Short title.

2. This Act may be cited as the Unemployment Insurance Act, 1924, and the Unemployment Insurance Acts, 1920 to 1923, and this Act may be cited together as the Unemployment Insurance Acts, 1920 to 1924.

CHAPTER 2.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-four. [6th March 1924.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards

making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Issue of 2,958,020*l.* out of the Consolidated Fund for the service of the year ending 31st March 1924.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-four, the sum of two million nine hundred and fifty-eight thousand and twenty pounds.

Short title.

2. This Act may be cited as the Consolidated Fund (No. 1) Act, 1924.

CHAPTER 3.

An Act to remove temporarily the limit on the moneys provided by Parliament for the purposes of the Diseases of Animals Acts, 1894 to 1922.

[6th March 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Provision of funds for purposes of the Diseases of Animals Acts. 57 & 58 Vict. c. 57.

1. The limitation of one hundred and forty thousand pounds imposed by section eighteen of the Diseases of Animals Act, 1894, on the moneys which may be provided by Parliament towards defraying the costs in such section mentioned and be paid to the cattle pleuro-pneumonia account for Great Britain shall not apply to moneys so provided in the financial year ending on the thirty-first day of March, nineteen hundred and twenty-four.

Short title.

2. This Act may be cited as the Diseases of Animals Act, 1924.

CHAPTER 4.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-three, one thousand nine hundred and twenty - four, and one thousand nine hundred and twenty-five.

[28th March 1924.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Issue of 5,765,739*l.* out of the Consolidated Fund for the service of the years ended 31st March, 1923 and 1924.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-three, and one thousand nine hundred and twenty-four, the sum of five million seven hundred and sixty-five thousand seven hundred and thirty-nine pounds.

Issue of 162,278,000*l.* out of the Consolidated Fund for the service of the year ending 31st March, 1925.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-five, the sum of one hundred and sixty-two million two hundred and seventy-eight thousand pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the

Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole one hundred and sixty-eight million forty-three thousand seven hundred and thirty-nine pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-five, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those Bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 2) Act, 1924.

CHAPTER 5.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force. [15th April 1924.]

WHEREAS the raising or keeping of a standing army within the United Kingdom in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of land forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's

Crown, and that the whole number of such forces should consist of one hundred and sixty-one thousand six hundred, including those to be employed at the depôts in the United Kingdom for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas under the Air Force (Constitution) Act, 1917, His Majesty is entitled to raise and maintain the air force, and it is judged necessary that the whole number of such force should consist of thirty-five thousand, including those employed as aforesaid, but exclusive of the numbers serving as aforesaid, and the provisions of the Air Force Act are due to expire at the same dates as the provisions of the Army Act: 7 & 8 Geo. 5. c. 51.

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law or to the Air Force Act, in their duty, that an exact discipline be observed and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military or air force discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Act and the Air Force Act will expire in the year one thousand nine hundred and twenty-four on the following days :—

(*a*) in Great Britain and Ireland, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July :

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as the Army and Air Force (Annual) Act, 1924.

Army Act and Air Force Act to be in force for specified times.

2.—(1) The Army Act and the Air Force Act shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament (that is to say) :—

(*a*) Within Great Britain and Ireland, the Channel Islands, and the Isle of Man, from the thirtieth day of April, one thousand nine hundred and twenty-four, to the thirtieth day of April, one thousand nine hundred and twenty-five, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July, one thousand nine hundred and twenty-four, to the thirty-first day of July, one thousand nine hundred and twenty-five, both inclusive.

(2) The Army Act and the Air Force Act, while in force, shall apply to persons subject to military law or to the Air Force Act, as the case may be, whether within or without His Majesty's dominions.

(3) A person subject to military law or to the Air Force Act shall not be exempted from the provisions of the Army Act or Air Force Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the numbers hereinbefore mentioned.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act or the Air Force Act the prices specified in the Schedule to this Act. Prices in respect of billeting.

AMENDMENTS OF ARMY AND AIR FORCE ACTS.

PART I.

AMENDMENTS OF ARMY ACT.

4. In paragraph (9) of section one hundred and seventy-five of the Army Act (which relates to persons subject to military law as officers), for the words "Indian army reserve" there shall be substituted the words "Indian army reserve of officers or the Army in India reserve of officers." Amendment of s. 175 of the Army Act.

5. The following subsection shall be inserted at the end of section one hundred and eighty-nine of the Army Act (which relates to the interpretation of the term "on active service"):— Amendment of s. 189 of the Army Act.

"(6) Where any such forces so serving out of His Majesty's Dominions are under the command of an air officer the powers exercisable under this section by a general officer or colonel commandant shall be exercisable by such air officer, and this section shall apply accordingly."

6. The following paragraph shall be inserted at the end of paragraph (3) of section one hundred and ninety of the Army Act (which relates to the interpretation of terms in that Act): Amendment of s. 190 of the Army Act.

"(3A) The expression "colonel commandant" includes a colonel not below the rank of colonel commandant."

PART II.

AMENDMENT OF AIR FORCE ACT.

7. The following subsection shall be inserted at the end of section one hundred and eighty-nine of the Air Amendment of s. 189 of

the Air Force Act.

Force Act (which relates to the interpretation of the term "on active service"):—

"(6) Where any such part of His Majesty's Air Force so serving out of His Majesty's Dominions is under the command of a general officer or colonel commandant, the powers exercisable under this section by an air officer shall be exercisable by such general officer or colonel commandant, and this section shall apply accordingly."

PART III.

AMENDMENTS OF ARMY ACT APPLICABLE ALSO TO THE AIR FORCE ACT.

Amendment of s. 44 of the Army Act.

8. In proviso (11) to section forty-four of the Army Act (which relates to the scale of punishments by courts-martial), for the words "military decoration or military reward" there shall be substituted the words "naval, military or air-force decoration or naval, military or air-force reward."

Amendment of s. 47 of the Army Act.

9. In subsection (1) of section forty-seven of the Army Act (which relates to the power to deal summarily with charges against officers and warrant officers) for the words "the General" there shall be substituted the words "the General or Air."

Amendment of s. 174A of the Army Act.

10. In section one hundred and seventy-four A of the Army Act (which relates to the use of recreation rooms without licence), after the words "Disorderly Houses Act, 1751" there shall be inserted the words "or in any similar enactment contained in any other "Act whether public general or local or personal."

Application to Air Force.

11. References in this Part of this Act to the Army Act shall be deemed to include references to the Air Force Act, and the provisions of this Part of this Act shall, in their application to the Air Force Act, have effect as if for the words "military decoration or military reward" there were substituted the words "air-force decoration or air-force reward."

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Tenpence per night for the first soldier and eightpence per night for each additional soldier.
Breakfast as specified in Part I. of the Second Schedule to the Army and Air Force Acts.	Sevenpence each.
Dinner as so specified - - - -	Tenpence.
Supper as so specified - - - -	Fourpence.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Tenpence per night for the first soldier and eightpence per night for each additional soldier.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and sevenpence per day.
Stable room without forage - - -	Sixpence per day.
Lodging and attendance for officer -	Three shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 6.

An Act to extend the periods for which the receipt of unemployment benefit during the current benefit year may be authorised under section two of the Unemployment Insurance Act, 1923. [15th April 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Amendment of s. 2 of 13 & 14 Geo. 5. c. 2.

1. Section two of the Unemployment Insurance Act, 1923 (which prescribes the conditions for the receipt of benefit in the benefit year ending on the fifteenth day of October, nineteen hundred and twenty-four), shall be amended so as to empower the Minister of Labour to authorise the receipt of benefit during the said benefit year for periods not exceeding in the aggregate forty-one weeks, and proviso (1) to the said section shall accordingly have effect as though for the words "twenty-six weeks," in both places where they occur, there were substituted the words "forty-one weeks."

Short title.

2. This Act may be cited as the Unemployment Insurance (No. 3) Act, 1924, and shall be included among the Acts which may be cited together as the Unemployment Insurance Acts, 1920 to 1924.

CHAPTER 7.

An Act to carry into effect a Treaty of Peace between His Majesty and certain other Powers, and certain conventions, protocols, and declarations connected therewith. [15th April 1924.]

WHEREAS, at Lausanne, on the twenty-fourth day of July, nineteen hundred and twenty-three, a Treaty of Peace with Turkey, and the conventions, protocols, and declaration mentioned in Part I. of the Schedule to this Act were signed on behalf of His Majesty, and in connection with the said Treaty the further convention and protocol mentioned in Part II. of that Schedule was signed at Paris on the twenty-third day of November, nineteen hundred and twenty-three:

And whereas copies of the said Treaty, conventions, protocols, and declaration have been laid before each House of Parliament, and it is expedient that His Majesty should have power to do all such things as may be proper and expedient for giving effect thereto:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Power of His Majesty to give effect to Peace Treaty, &c

1.—(1) His Majesty may make such appointments, establish such offices, make such Orders in Council, and do such things as appear to him to be necessary for carrying out the said Treaty, conventions, protocols and declaration, and for giving effect to any of the provisions thereof.

(2) Any Order in Council made under this Act may provide for the imposition, by summary process or otherwise, of penalties in respect of breach of the provisions thereof, and for conferring on courts within His Majesty's Dominions jurisdiction in cases where under the Convention respecting Conditions of Residence and Business and Jurisdiction such courts are alone to have jurisdiction.

(3) Every such Order in Council shall be laid before Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act, but may be varied or revoked by a subsequent Order in Council, and shall not be deemed to be a statutory rule within the meaning of section one of the Rules Publication Act, 1893 : 56 & 57 Vict. c. 66.

Provided that, if an Address is presented to His Majesty by either House of Parliament within the next twenty-one days on which that House has sat after any Order in Council made under this Act has been laid before it praying that the Order or any part thereof may be annulled, His Majesty in Council may annul the Order or such part thereof, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(4) Any expenses incurred in carrying out the said Treaty, conventions, protocols and declaration shall be defrayed out of moneys provided by Parliament.

Short title.

2. This Act may be cited as the Treaty of Peace (Turkey) Act, 1924.

SCHEDULE.

PART I.

CONVENTIONS, PROTOCOLS, AND DECLARATION CONNECTED WITH THE TREATY OF PEACE WITH TURKEY SIGNED AT LAUSANNE.

I. Convention respecting the Régime of the Straits.

II. Convention respecting the Thracian Frontiers.

III. Convention respecting Conditions of Residence and Business and Jurisdiction.

IV. Commercial Convention.

V. Amnesty Declaration and Protocol.

VI. Protocol relating to certain Concessions granted in the Ottoman Empire.

VII. Protocol relating to the accession of Belgium and Portugal to certain provisions of Instruments signed at Lausanne.

VIII. Protocol relating to the Evacuation of the Turkish territory occupied by the British, French and Italian Forces.

IX. Protocol relating to the Karagatch territory and to the islands of Imbros and Tenedos.

X. Protocol relating to the Treaty, concluded at Sèvres between the Principal Allied Powers and Greece on the 10th August 1920, concerning the Protection of Minorities in Greece, and to the Treaty relating to Thrace concluded on the same day between the same Powers.

XI. Protocol relating to signature by the Serb-Croat-Slovene State.

PART II.

CONVENTION AND PROTOCOL SIGNED AT PARIS.

Convention relating to the Assessment and Reparation of Damage suffered in Turkey by the Nationals of the contracting Powers and the Protocol annexed thereto.

CHAPTER 8.

An Act to amend the Trade Facilities Acts, 1921 and 1922, to authorise the Treasury to contribute towards the interest payable on certain loans, the application of which is calculated to promote employment in the United Kingdom, to extend the periods during which guarantees may respectively be given and remain in force under the Overseas Trade Acts, 1920 to 1922, and to amend section three of the Trade Facilities and Loans Guarantee Act, 1922 (Session 2).

[15th May 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Increase of amount of loans which may be guaranteed under 11 & 12 Geo. 5. c. 65, and extension of period for giving of guarantees. 13 Geo. 5. c. 4 (Session 2).

1.—(1) The maximum limit on the aggregate capital amount of the loans, the principal or interest of which may be guaranteed under subsection (1) of section one of the Trade Facilities Act, 1921, as amended by the Trade Facilities and Loans Guarantee Act, 1922 (Session 2), shall be increased from fifty million pounds to sixty-five million pounds.

(2) The power to give guarantees under the said section one may be exercised at any time up to and including the thirty-first day of March, nineteen hundred and twenty-five.

Power of Treasury to contribute towards interest payable on certain loans.

2.—(1) If the Treasury are satisfied—

(*a*) that the proceeds of any loan to which this section applies are to be applied by way of capital expenditure on or in connection with a public utility undertaking in some part of His Majesty's Dominions in accordance with a scheme approved by the Government of that part of His Majesty's Dominions; and

(*b*) that the expenditure involved in the scheme is in anticipation of expenditure which would

normally have been incurred at a later date; and

(*c*) that the application of the proceeds of the loan in the manner proposed is calculated to promote employment in the United Kingdom;

the Treasury may, subject to the provisions of this section, undertake to pay to the said Government an amount not exceeding three-quarters of any interest payable in the first five years of the currency of the loan in respect of such portion of the loan as is to be expended in the United Kingdom, so, however, that the amount payable by the Treasury under this section shall not exceed one million pounds in any one year or five million pounds in all.

(2) The loans to which this section apply are loans to be raised in the United Kingdom either by the Government of any part of His Majesty's Dominions, or by a local authority in any part of His Majesty's Dominions or by any body of persons constituted for the purpose of carrying out a public utility undertaking.

(3) No undertaking shall be given by the Treasury under this section after the expiration of three years from the commencement of this Act or in respect of a loan to be raised thereafter.

(4) Such sums as may from time to time be required by the Treasury for fulfilling any undertaking given under this section shall be paid out of moneys provided by Parliament.

(5) The Treasury shall, as soon as may be after the expiration of each year during which undertakings may be given under this section, lay before both Houses of Parliament a statement of the amounts payable under the undertakings given under this section during that year, together with particulars of the purposes to which the loans were to be applied.

(6) In this section the expression "public utility undertaking" means an undertaking for providing or improving communications, drainage or irrigation, or for providing power, lighting or water, and references to any part of His Majesty's Dominions shall include references to any territory which is under His Majesty's protection.

3.—(1) The powers of the Board of Trade under the Overseas Trade Acts, 1920 to 1922, with respect to the giving of guarantees may be exercised in the case of new guarantees at any time up to and including the eighth day of September, nineteen hundred and twenty-six, and the period during which guarantees given under the said Acts (including renewed guarantees) may remain in force shall be extended so as to expire on the eighth day of September, nineteen hundred and thirty. Extension of periods during which guarantees may be given and remain in force under Overseas Trade Acts, 1920 to 1922.

(2) In subsection (1) of section one of the Overseas Trade (Credits and Insurance) Amendment Act, 1921, the words from "(*a*) the powers" to "and (*b*)," and in subsection (2) of section two of the Trade Facilities Act, 1921, the words from "in proviso (*a*)" to "by the amending Act," and the words from "so long as" to the end of the subsection, are hereby repealed. 11 & 12 Geo. 5. c. 26. 11 & 12 Geo. 5. c. 65.

(3) The Overseas Trade Acts, 1920 to 1922, and this section may be cited together as the Overseas Trade Acts, 1920 to 1924.

4. Section three of the Trade Facilities and Loans Guarantee Act, 1922 (Session 2), which authorises the Treasury to guarantee the payment of the principal of, and the interest on, a loan to be raised by the Government of the Soudan for certain purposes, not exceeding in the aggregate an amount sufficient to raise three million five hundred thousand pounds, shall have effect as though the sum of seven million pounds were therein substituted for the sum of three million five hundred thousand pounds. Amendment of section 3 of 13 Geo. 5. c. 4.

5. This Act may be cited as the Trade Facilities Act, 1924, and the Trade Facilities Acts, 1921 and 1922, and sections one and two of this Act may be cited together as the Trade Facilities Acts, 1921 to 1924. Short title.

CHAPTER 9.

An Act to extend further the duration of the Poor Law Emergency Provisions (Scotland) Act, 1921, and to amend certain provisions of that Act as amended by the Local Authorities (Emergency Provisions) Act, 1923. [15th May 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Continuance subject to amendment of 11 & 12 Geo. 5. c. 64. 13 & 14 Geo. 5. c. 6.

1. The Poor Law Emergency Provisions (Scotland) Act, 1921, as amended by section three of the Local Authorities (Emergency Provisions) Act, 1923, shall continue in force until the fifteenth day of May, nineteen hundred and twenty-five; subject to the following modification:—

A parish council may make such grants as they may think fit towards assisting in defraying the expenses of emigration of any destitute able-bodied person out of employment who has expressed a desire to emigrate and of any persons in respect of whom such able-bodied person would, had he been in receipt of poor relief from the council, have received relief, and the provisions of section one of the Poor Law Emergency Provisions (Scotland) Act, 1921, shall apply to any payment so made as if it were relief given thereunder to such able-bodied person.

Short title.

2. This Act may be cited as the Poor Law Emergency Provisions Continuance (Scotland) Act, 1924.

CHAPTER 10.

An Act to make further provision with respect to the cost of medical benefit and to the expenses of the administration of benefits under the Acts relating to national health insurance, and to amend section twenty-nine of the National Health Insurance Act, 1918, and for purposes connected therewith. [29th May 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Provision as to cost of medical benefit and administration expenses.

1.—(1) There shall, in respect of each year during which this Act continues in force, be paid—

(*a*) to insurance committees in England on account of the cost, and the expenses of the administration, of medical benefit, by way of addition to the sums payable under subsection (1) of section seven of the National Health Insurance Act, 1920, and, subject to such conditions as may be prescribed, a sum at such yearly rate as may be prescribed, but not exceeding two shillings and twopence three farthings per year, in respect of each of the total number of the persons in respect of whom payments are made under the said section seven (in this Act referred to as "the total number of persons for the purposes of the said section seven"); and

10 & 11 Geo. 5. c. 10.

(*b*) to the Minister of Health, on account of the expenses incurred by him in connection with the administration of benefits, a sum at such yearly rate as may be prescribed, but not exceeding three halfpence per year, in respect of each of the total number of persons for the purposes of the said section seven.

(2) Such part of the sums to be paid as aforesaid as is not defrayed in pursuance of section three of the National Health Insurance Act, 1911, out of moneys provided by Parliament (hereinafter referred to as "the

1 & 2 Geo. 5. c. 55.

" balance ") shall in each year be provided as follows, that is to say :—

(*a*) there shall be paid by each approved society an amount representing a charge at the rate of seven-ninths of twopence in respect of each of the total number of persons in respect of whom payments are made by the society under the said section seven :

(*b*) there shall be paid out of the moneys in the Central Fund representing sums carried to that fund under section twenty-nine of the National Health Insurance Act, 1918 (which provides for the disposal of sums unclaimed in the Stamp Sales Account), as amended by this Act, an amount representing a charge at the rate of seven-ninths of one shilling and eightpence farthing in respect of each of the total number of persons for the purposes of the said section seven :

7 & 8 Geo. 5. c. 62.

(*c*) the residue of the balance shall be paid out of the sums standing to the credit of the Income Account of the National Health Insurance Fund (Investment) Account in the books of the National Debt Commissioners kept in accordance with the regulations made by the Treasury under subsection (3) of section fifty-four of the National Insurance Act, 1911.

(3) There shall, in respect of every member of an approved society who has attained the age of seventy years in respect of every year during which this Act continues in force, be paid to the Reserve Suspense Fund out of moneys in the Central Fund representing sums carried to that Fund as aforesaid and out of the Income Account mentioned in paragraph (*c*) of the last preceding subsection, amounts at the like rates at which payments are to be made out of the said Fund and the said Account under paragraph (*b*) and paragraph (*c*) respectively of the said subsection.

Payment into Central Fund.

2. Out of the residues of the sums unclaimed in the Stamps Sales Accounts for England, Scotland and Wales respectively, which residues are under section twenty-nine of the National Health Insurance Act, 1918, to be applied in such manner as may be prescribed, there

shall be paid forthwith into the Central Fund the sum of one hundred thousand pounds, and the sum so to be paid shall be apportioned between the said Accounts for England, Scotland and Wales respectively in such manner as the National Health Insurance Joint Committee may direct.

Application of part of sums unclaimed in stamp sales account towards cancellation of arrears.

3.—(1) Such part as the National Health Insurance Joint Committee may direct of the sums which under section twenty-nine of the National Health Insurance Act, 1918, are to be carried to the Central Fund shall, instead of being so carried, be credited to approved societies in accordance with a scheme to be made by the said Committee with the approval of the Treasury, and any sums credited under this section to an approved society shall be applied by the society in such manner as the scheme may provide for the purpose of preventing such members of the society as are in arrears from being or continuing to be suspended from benefit.

(2) This section shall be deemed to have had effect as from the first day of January, nineteen hundred and twenty-three, and shall continue in force until the thirty-first day of December, nineteen hundred and twenty-five.

Payment out of Central Fund for purpose of health insurance in Northern Ireland.

4. There shall, out of moneys in the Central Fund representing sums carried to that Fund under section twenty-nine of the National Health Insurance Act, 1918, as in force in Northern Ireland, be paid to the Ministry of Labour for Northern Ireland to be applied for the purposes of national health insurance in Northern Ireland in such way as the Parliament of Northern Ireland may direct, such sums as the National Health Insurance Joint Committee shall determine to be proper to be so paid, having regard to the sums paid out of moneys in the Central Fund under this Act for the purposes of national health insurance in Great Britain.

Application to Scotland, Ireland and Wales.

5.—(1) This Act shall apply to Scotland, subject to the following modifications, that is to say:—

(*a*) the Scottish Board of Health shall be substituted for the Minister of Health:

(*b*) one shilling and tenpence halfpenny shall be substituted for two shillings and twopence three farthings:

(*c*) twopence halfpenny shall be substituted for three-halfpence:

(*d*) such sum, if any, as may be prescribed, not exceeding one penny, shall be substituted for twopence:

(*e*) the Scottish National Health Insurance Fund (Investment) Account shall be substituted for the National Health Insurance Fund (Investment) Account:

(*f*) section one of this Act shall have effect as if there were inserted after the word "benefits" in paragraph (*b*) of subsection (1) thereof the words "and the provision of a medical service "for insured persons in such districts of Scot- "land (other than the Highlands and Islands "within the meaning of the Highlands and "Islands (Medical Service) Grant Act, 1913) "as may be determined by the Scottish Board "of Health to be necessitous."

3 & 4 Geo. 5. c. 26.

(2) This Act shall apply to Wales subject to the following modifications, that is to say, two shillings and eightpence farthing shall be substituted for two shillings and twopence three farthings, one penny three farthings shall be substituted for three-halfpence, and the Welsh National Health Insurance Fund (Investment) Account shall be substituted for the National Health Insurance Fund (Investment) Account.

(3) This Act shall not (except as therein otherwise expressly provided) apply to Ireland.

Short title, construction and operation.

6.—(1) This Act may be cited as the National Health Insurance (Cost of Medical Benefit) Act, 1924, and shall be construed as one with the National Health Insurance Acts, 1911 to 1922, and those Acts and this Act may be cited together as the National Health Insurance Acts, 1911 to 1924.

(2) This Act shall (save as therein otherwise expressly provided) be deemed to have had effect as from the first day of January, nineteen hundred and twenty-four, and shall continue in force until the thirty-first day of December, nineteen hundred and twenty-six.

CHAPTER 11.

An Act to amend sections one, sixty-two and sixty-five of the Friendly Societies Act, 1896, and for purposes connected therewith.

[29th May 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Qualifications for office of Chief Registrar. 59 & 60 Vict. c. 25.

1. A person who has held the office of Assistant Registrar for not less than five years shall be qualified to be appointed Chief Registrar, and accordingly section one of the Friendly Societies Act, 1896, shall have effect as if in subsection (4) thereof, after the words "of not "less than twelve years' standing," there were inserted the words "or a person who has held the office of "Assistant Registrar for not less than five years."

Assurances on children's lives.

2.—(1) Section sixty-two of the Friendly Societies Act, 1896 (which relates to assurances on children), both as originally enacted and as applied to trade unions and industrial assurance companies, shall have effect as if for that section the following section were substituted:—

"A society or branch, whether registered or unregistered, shall not insure or pay on the death of a child under the ages hereinafter specified any sum of money which exceeds or which, when added to any amount payable on the death of that child by any other society or branch or by any trade union or industrial assurance company exceeds, the amounts hereinafter specified; that is to say:—

(*a*) In the case of a child under three years of age, six pounds;

(*b*) In the case of a child under six years of age, ten pounds;

(*c*) In the case of a child under ten years of age, fifteen pounds."

(2) Section sixty-five of the Friendly Societies Act, 1896, shall have effect as if for the words "five years" there were substituted the words "three years," and as

if for the words "ten years" there were substituted the words "six years," and as if at the end of subsection (1) thereof there were inserted the words "or for the payment "in the whole of a sum exceeding fifteen pounds on the "death of a child under ten years."

13 & 14 Geo. 5. c. 8.

(3) Subsection (1) of section four of the Industrial Assurance Act, 1923, shall be repealed from the words "except that" to the end of the subsection.

Short title, construction and extent.

3.—(1) This Act may be cited as the Friendly Societies Act, 1924, and shall be construed with the Friendly Societies Acts, 1896 and 1908, and those Acts and this Act may be cited together as the Friendly Societies Acts, 1896 to 1924.

(2) This Act shall not extend to Northern Ireland.

CHAPTER 12.

An Act to extend the period during which contributions under the School Teachers (Superannuation) Act, 1922, are to be payable. [29th May 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Extension of period during which contributions by or in respect of school teachers are to be payable.

12 & 13 Geo. 5. c. 42.

1. The School Teachers (Superannuation) Act, 1922, shall, unless Parliament shall hereafter fix some earlier date for the purpose, have effect as though in subsection (1) of section one thereof (which provides that contributions thereunder are to be payable as from the first day of June, nineteen hundred and twenty-two, until the first day of June, nineteen hundred and twenty-four) the first day of April, nineteen hundred and twenty-six, were substituted for the first day of June, nineteen hundred and twenty-four.

Short title.

8 & 9 Geo. 5. c. 55.

2. This Act may be cited as the School Teachers (Superannuation) Act, 1924, and the School Teachers (Superannuation) Acts, 1918 and 1922, and this Act may be cited together as the School Teachers (Superannuation) Acts, 1918 to 1924.

CHAPTER 13.

An Act to amend the Education (Scotland) (Superannuation) Act, 1922. [29th May 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Extension of period during which contributions by or in respect of school teachers are to be payable. 12 & 13 Geo. 5. c. 48.

1. The Education (Scotland) (Superannuation) Act, 1922 (hereinafter in this Act referred to as "the Act of 1922"), shall have effect as though in subsection (1) of section one thereof (which provides that contributions thereunder are to be payable as from the first day of June, nineteen hundred and twenty-two, until the first day of June, nineteen hundred and twenty-four) the words "the thirty-first day of July, nineteen hundred and twenty-five, or such earlier date as Parliament may determine," were substituted for the words "the first day of June, nineteen hundred and twenty-four."

Contingent payment to Education (Scotland) Fund.

2. The following subsection shall be added to section three of the Act of 1922 :—

"(2) If in the year commencing the first day of April, one thousand nine hundred and twenty-four, or in the year commencing the first day of April, one thousand nine hundred and twenty-five, the amount of the sums collected and recovered by the Department in terms of the first section of this Act (after deduction of any contributions returned in terms of any amending scheme framed and approved in pursuance of the immediately preceding section) shall exceed eleven-eightieths of the amount of the sums received by the Board of Education in terms of section one of the School Teachers (Superannuation) Act, 1922, or any Act amending the same (after deduction of any contributions returned in terms of section two thereof and of any sums paid as compensation in terms of section three thereof), there shall be paid into the Education (Scotland) Fund out of moneys provided by Parliament a sum equal to the amount of such excess. 12 & 13 Geo. 5. c. 42.

References to s. 1 of 12 & 13 Geo. 5. c. 48.

3. In the Act of 1922 and in any amending scheme framed and approved in pursuance of section two thereof, references to section one of the Act of 1922 shall be construed as references to the said section one as amended by this Act.

Extent, citation and construction.

4.—(1) This Act shall extend to Scotland only.

(2) This Act may be cited as the Education (Scotland) (Superannuation) Act, 1924, and the Education (Scotland) Acts, 1872 to 1922, and this Act may be cited as the Education (Scotland) Acts, 1872 to 1924, and shall, so far as is consistent with the tenor thereof, be construed together as one Act.

CHAPTER 14.

An Act to make provision for the establishment and working of a system of submarine cables and wireless telegraph stations in the West Indian Islands and British Guiana.

[14th July 1924.]

WHEREAS it is expedient to provide a system of telegraphic communication in and with the West Indian Islands, and for that purpose to construct a submarine cable from the Turks Islands to Barbados, and to provide by means of submarine cables or wireless telegraph stations telegraphic communication between Barbados, Trinidad, British Guiana, Saint Kitts, Antigua, Dominica, Saint Lucia, Saint Vincent, and Grenada:

And whereas it has been arranged that any sum required for the repayment of any money borrowed under this Act and for the annual expenses of working the said system (including interest on borrowed money) shall, so far as not covered by receipts, be ultimately provided by the governments of the various parts of His Majesty's dominions mentioned in the Schedule to this Act in the proportions therein specified, and that any profits arising from the working of the system shall be divided between the said governments in the same proportions:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this

present Parliament assembled, and by the authority of the same, as follows :—

Issue of money out of Consolidated Fund for purposes of Act.

1. The Treasury shall, as and when they think fit, issue out of the Consolidated Fund or the growing produce thereof such sums not exceeding in the whole the sum of four hundred thousand pounds as may be required for defraying the costs of the construction or provision of such cables and stations as aforesaid and the provision of working capital.

Borrowing for purposes of Act.

2.—(1) The Treasury may, if they think fit, at any time borrow money for the purpose of providing for the issue of sums out of the Consolidated Fund under this Act, or repaying to that fund all or any part of the sums so issued, and all sums so borrowed shall be paid into the Exchequer.

(2) Any sums so borrowed shall, during the construction of the said cables and stations, bear interest at such rates as may be agreed, and after construction shall be repaid with interest at such rates as aforesaid by means of terminable annuities for such period not exceeding thirty years from that time as the Treasury fix.

(3) The principal of and interest on any money so borrowed, and after construction the annuities created for the purpose of the repayment of that money, shall, unless otherwise provided for, be charged on and paid out of the Consolidated Fund or the growing produce thereof.

Annual expenses of system.

3.—(1) The amount required in each year for the annual expenses of the said system shall be defrayed out of the receipts arising in connection with the said system, and, so far as those receipts are not sufficient, out of moneys provided by Parliament.

(2) For the purposes of this Act, the annual expenses of the said system include any sums required for the payment of interest on money borrowed for the purposes of this Act, or for the payment of annuities created under this Act, and any expenses properly incurred in working or maintaining the system.

(3) Such sums as are received from any government of a dominion or colony on account of the annual expenses of the said system shall be paid into the Exchequer.

Application of profits.

4. If in any year the receipts arising in connection with the said system exceed the amount required for the annual expenses thereof, the surplus shall be applied, in such manner as the Treasury direct, in reduction of any sums outstanding on account of money borrowed under this Act, and, if there is no such sum outstanding the surplus shall be apportioned amongst the governments mentioned in the Schedule to this Act in the proportions therein specified, and the share apportioned to the Government of the United Kingdom shall be dealt with as the Treasury determine.

Payments, accounts and audit.

5.—(1) Any sums available for the payment of interest on money borrowed under this Act or of annuities created under this Act and any sums available as surplus under this Act shall be paid over in such manner and at such times as the Treasury direct.

(2) In every financial year an account shall be made out, in such form as the Treasury require, of the money received, expended, and borrowed, and of the securities created under this Act, and that account shall be audited in manner directed by the Treasury and laid before Parliament.

Short title.

6. This Act may be cited as the West Indian Islands (Telegraph) Act, 1924.

SCHEDULE.

Section 4.

TABLE OF GOVERNMENTS AND PROPORTIONATE SHARES.

Governments.	Shares in Expenses and Receipts.
Government of the United Kingdom - -	80
Government of the Dominion of Canada - -	80
Government of Trinidad - - - -	30
Government of British Guiana - - -	30
Government of Barbados - - - -	15
Government of Grenada - - - -	6
Government of St. Lucia - - - -	5
Government of St. Vincent - - - -	3
Government of the Leeward Islands in respect of St. Kitts-Nevis, Antigua, and Dominica - - - - - - -	14

CHAPTER 15.

An Act to make further provision as to the organisation and conditions of service of the Auxiliary Air Force and Air Force Reserve, and for purposes connected therewith.

[14th July 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Constitution of county joint associations and auxiliary air force associations. 7 & 8 Geo. 5. c. 51. 7 Edw. 7. c. 9.

1. The power of His Majesty under section six of the Air Force (Constitution) Act, 1917 (in this Act referred to as "the principal Act"), to apply by Order in Council to the auxiliary air force or to the officers and men of that force any of the enactments relating to the territorial army or the officers and men of that army, shall be extended so as to include power to apply Part I. of the Territorial and Reserve Forces Act, 1907, to the auxiliary air force and to the officers and men of that force and also to the territorial army and to the officers and men of that army with such modifications as may be necessary—

(1)—(*a*) to provide for the establishment and constitution of a county joint association under the said Part I., which shall, as respects the county, exercise the powers and perform the duties of an association under the said Part in relation both to the territorial army and to the auxiliary air force, and to provide for the application of the provisions of that Part with respect to the Army Council, to army services and to the territorial army, to the Army Council and Air Council or either of them, to army and air force services or either of them and to the territorial army and the auxiliary air force, or either of them, respectively;

(*b*) to define the relations and responsibilities of any such county joint association to the Army Council and the Air Council respectively; and

(2) to provide for the establishment and constitution for any areas which in the opinion of the Air Council cannot suitably be administered

through county joint associations constituted under the preceding paragraph, of auxiliary air force associations; and

(3) to provide for the termination of county joint associations either generally or in special cases, and on such termination for the establishment of associations constituted under the Territorial and Reserve Forces Act, 1907, or of auxiliary air force associations; and

(4) to provide for the transfer and adjustment of any powers, duties, assets and liabilities on the establishment or termination of county joint associations.

Conditions of service of auxiliary air force.

2. The aforesaid power of His Majesty under section six of the principal Act shall be extended so as to include power to apply any enactments referred to in that section to the auxiliary air force, or to the officers or men of that force, with such modifications as may be necessary to make it a condition, on the acceptance of a commission as an officer or on the enlistment of a man in the auxiliary air force, that the person so commissioned or enlisted shall enter into an agreement to accept as an obligation the liability (whether or not the army or air force reserve is called out on permanent service) to be called out and to serve within the British Islands in defence of the British Islands against actual or apprehended attack, and to provide accordingly for the application of the provisions of section twenty of the Territorial and Reserve Forces Act, 1907, with the necessary modifications, to any such man who fails to fulfil such obligations as aforesaid.

Conditions of service of air force reserve.

3. The power of His Majesty under section six of the principal Act to apply by Order in Council to the air force reserve or to the officers and men of the air force reserve any of the enactments relating to the army reserve or to the officers and men of the army reserve shall be extended so as to include power to apply any of those enactments to the air force reserve, or to the officers or men thereof, with such modifications as may be necessary—

(1) to provide that, notwithstanding anything contained in subsection (1) of section thirty of the Territorial and Reserve Forces Act, 1907, men

may be enlisted into the air force reserve either as reservists or as special reservists, whether or not such men have served in the regular air force; and

(2) to make it a condition on the enlistment of a man in the regular air force or the air force reserve after the date of the order, that he shall accept as an obligation the liability during his service in the reserve (whether or not the army or air force reserve is called out on permanent service) to be called out and to serve within the British Islands in defence of the British Islands against actual or apprehended attack, and to provide that any man of the regular air force enlisted before the date of the order who may after that date be transferred to the air force reserve, or any man in the air force reserve at that date, may agree in writing to accept as an obligation such liability as aforesaid; and

(3) to provide that a man who is liable to be called out and to serve in the circumstances mentioned in this section shall, when called out for such service be deemed to have been called out on permanent service, and to be subject to the Air Force Act accordingly; and

(4) to provide for the enlistment of men into the air force reserve as special reservists with a liability to serve within the limits of the British Islands only.

Power to make supplemental modifications.

4. An Order in Council made in pursuance of any of the foregoing provisions of this Act may make such supplemental and consequential modifications (if any) of the provisions of the Reserve Forces Acts, 1882 to 1907, and the Territorial and Reserve Forces Act, 1907, including the provisions as to the service and publication of notices, and contain such supplemental and consequential provisions, as may appear to His Majesty in Council to be necessary or expedient.

Calling out for service in defence and termination of such service.

5.—(1) It shall be lawful for His Majesty by Order in Council declaring that a case of emergency exists, to order a Secretary of State to give, and when given to revoke or vary, such directions as may seem necessary

or proper for calling out to serve within the British Islands in defence of the British Islands against actual or apprehended attack all or any of the officers and men of the auxiliary air force or air force reserve who in pursuance of this Act are liable to be called out and to serve as aforesaid.

(2) All directions given in pursuance of such order shall be obeyed as if enacted in this Act and every officer and man for the time being called out by such directions shall attend at the place and time fixed by those directions.

(3) It shall be lawful for His Majesty by Order in Council to declare that a case of emergency no longer exists, and thereupon the Secretary of State shall give such directions as may seem necessary or proper for terminating the service under this section of the officers and men of the auxiliary air force and air force reserve.

(4) Until any such Order in Council as is mentioned in the last preceding subsection has been made, the Secretary of State may from time to time, as he may think expedient for the public service, give such directions as may seem necessary or proper for dispensing with the service under this section of any officers and men of the auxiliary air force or the air force reserve and for calling out any officers or men of that force or that reserve to serve under this section whether the service under this section of such officers or men has been previously dispensed with or not.

Short title, savings, and interpretation.

6.—(1) This Act may be cited as the Auxiliary Air Force and Air Force Reserve Act, 1924.

(2) Except as otherwise expressly provided, nothing in this Act shall affect any power of His Majesty by Order in Council to apply to the air force reserve or to the auxiliary air force or to the officers or men of those forces any enactments relating to the army reserve or to the territorial army or to the officers or men of the army reserve or the territorial army.

(3) The powers conferred by this Act with respect to the conditions on the acceptance of commissions in the auxiliary air force or the enlistment of men in the auxiliary air force or the air force reserve shall be without prejudice to any other power conferred under or by virtue of any Act or Order in Council to give directions for the

embodying of the auxiliary air force or the calling out on permanent service of the air force reserve.

(4) In this Act—

(i) references to the British Islands shall be construed as exclusive of the Irish Free State;

(ii) references to the Reserve Forces Act, 1882, and to the Territorial and Reserve Forces Act, 1907, shall be construed as references to those Acts as amended by any subsequent enactment. 45 & 46 Vict. c. 48.

(5) For the purposes of this Act and of any orders made thereunder and of any enactments as applied or adapted by any such order, service on any flight of which the points of departure and intended return are within the British Islands or the territorial waters thereof, shall be deemed to be service within the British Islands notwithstanding that the flight may in its course extend beyond those limits.

CHAPTER 16.

An Act to amend the law of Scotland relating to payment by instalments of sums decerned for in small debt courts, and to the arrestment of wages. [14th July 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power to direct payment by instalments of sums found due in small debt courts in respect of arrears of rent. 7 Will. 4. & 1 Vict. c. 41. 6 Geo. 4. c. 48.

1. The power conferred on the sheriff and the justices respectively by section eighteen of the Small Debt (Scotland) Act, 1837, and section eleven of the Justices of the Peace Small Debt (Scotland) Act, 1825, to direct that any sum found due shall be payable by instalments shall, in any case where such sum consists of arrears of rent, include power to annex to any such direction such condition as the sheriff or the justices may think fit with regard to the punctual payment of sums to become due by the defender to the pursuer in the future in respect of rent; and, in the event of the failure of the defender to comply with any such condition, it

shall be competent for the sheriff or the justices to rescind or vary any such direction in such manner as he or they shall think fit.

Amendment of 33 & 34 Vict. c. 63.

2. The Wages Arrestment Limitation (Scotland) Act, 1870, shall have effect as if in section two thereof "thirty-five shillings" were substituted for "twenty shillings."

Short title.

3. This Act may be cited as the Small Debt (Scotland) Act, 1924.

CHAPTER 17.

An Act to amend the law relating to Officers of County Courts in England and of District Registries of the High Court in England, and to make further provision with respect to such County Courts and proceedings therein, and for purposes connected therewith. [14th July 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointment, qualification, &c. of registrars of county courts and provision as to high bailiffs.

1.—(1) From and after the commencement of this Act there shall, subject to the provisions of this section, be a registrar for every court who shall be appointed by the Lord Chancellor.

(2) No person shall be qualified to be appointed a registrar unless he is a solicitor of not less than seven years' standing.

(3) The Lord Chancellor may, if he thinks fit, appoint a person to be registrar of two or more courts.

(4) The Lord Chancellor may, if he thinks fit, in the case of a court in a populous district appoint two persons to execute jointly the office of registrar of the court, and

may, in any case where joint registrars are appointed, give directions with respect to the division between them of the duties of the office, and may, as he thinks fit, on the death, resignation or removal of a joint registrar, either appoint another person to be joint registrar in his place, or give directions that the continuing registrar shall act as sole registrar.

(5) Where after the commencement of this Act a vacancy occurs in the office of high-bailiff of a court, no person shall be appointed to that office, and thereafter the registrar of that court shall, by virtue of his office, be the high-bailiff of the court.

(6) Notice of a vacancy occurring in the office of registrar or high-bailiff of a court shall be forthwith given to the Lord Chancellor by the judge of the court.

(7) If in any case the Lord Chancellor thinks it expedient so to do, having regard to the amount of business to be performed by the registrar of any court as such together with the business (if any) to be performed by him as high-bailiff of the court or as district registrar of the High Court, he may, with the concurrence of the Treasury, direct that the registrar shall not, directly or indirectly, engage in practice as a solicitor or carry on any employment of such a nature as will, in the opinion of the Lord Chancellor, prevent him from properly performing his duties as registrar.

A registrar in whose case a direction is given under this subsection is in this Act referred to as "a whole-time registrar."

(8) The Lord Chancellor shall, before giving any direction under which a person will on appointment as registrar be, or under which a person holding the office of registrar will become, a whole-time registrar, take steps to satisfy himself that the health of the person concerned is satisfactory.

(9) Nothing in this section shall disqualify a registrar appointed before the commencement of this Act from continuing to hold his office.

Payment of registrars and high-bailiffs.

2. Every registrar and every high-bailiff of a court shall be paid such salary, to be either exclusive of the remuneration of any officers of the court and of any other expenses of his office or not, as the Lord Chancellor may from time to time with the consent of the

Treasury direct, and, where the salary is inclusive of any such remuneration or expenses as aforesaid, the Lord Chancellor may, if he thinks fit and subject to the consent of the Treasury, specify what part of that salary is applicable to the payment of the said remuneration or expenses.

Appointment of assistant registrars, clerks, and other officers of county courts.

3.—(1) Subject as hereinafter provided, the Lord Chancellor may, with the concurrence of the Treasury as to numbers and salaries, appoint in connection with any court such assistant registrars, clerks, bailiffs, ushers and messengers, and in connection with any district registry of the High Court such clerks, as he may consider necessary for carrying out the work of the court or of the district registry, respectively, and may from time to time direct what duties shall be performed by those officers respectively, and may, if he thinks fit, remove any such officer from his office.

(2) No person shall be qualified to be appointed an assistant registrar unless he is a solicitor of not less than seven years' standing.

(3) Where there is an assistant registrar, the Lord Chancellor may direct which of the powers and duties of the registrar are to be exercised and performed by the assistant registrar, and the assistant registrar shall, when exercising the powers or performing the duties specified in the direction, be deemed to be the registrar.

(4) Where a registrar or a high-bailiff is paid a salary inclusive of the remuneration of any officers, whether the part of the salary applicable to the payment of that remuneration is specified under the last preceding section of this Act or not, those officers shall, notwithstanding anything in this section, be appointed and be removable by the registrar.

(5) The Lord Chancellor may, subject to the consent of the Treasury as to numbers and salary, appoint as officers in his department such examiners and other officers as he may consider necessary for the purpose of controlling the accounts of county courts.

Retirement and pensions of registrars.

4.—(1) A registrar to whom this section applies shall vacate his office at the end of the completed year of service in the course of which he attains the age of seventy-two years:

Provided that, where the Lord Chancellor considers it desirable in the public interest to retain any registrar in his office after he attains the age of seventy-two years, he may, with the approval of the Treasury, from time to time authorise his continuance in office up to such later age, not exceeding seventy-five years, as he thinks fit.

(2) The provisions of the Superannuation Acts, 1834 to 1919 (in this Act referred to as "the Superannuation Acts"), shall apply to registrars to whom this section applies, subject to the following modifications:—

(*a*) The superannuation allowance on retirement shall be in accordance with the provisions of the First Schedule to this Act instead of in accordance with the provisions of the Superannuation Acts:

(*b*) Section two of the Superannuation Act, 1909 (which authorises the grant of a gratuity in case of death), as amended by section two of the Superannuation Act, 1914, section three of the Superannuation Act, 1909 (which provides for the application of the Act to existing male civil servants), and subsection (2) of section six of the Superannuation Act, 1909 (which relates to compensation on abolition of office), shall not apply: 9 Edw. 7. c. 10. 4 & 5 Geo. 5. c. 86.

(*c*) Section ten of the Superannuation Act, 1859 (which prohibits the grant of superannuation allowance to a person under the age of sixty years except upon evidence of infirmity), shall not apply, but a superannuation allowance shall not be granted under this section to a person who is under the age of seventy-two years, unless the Treasury are satisfied on a medical certificate that he is incapable from infirmity of mind or body of discharging the duties of his office, and that the infirmity is likely to be permanent, or unless he has served fifteen years as a registrar and has attained the age of sixty-five years: 22 Vict. c. 26.

(*d*) A registrar shall, for the purposes of the Superannuation Acts, be deemed to have served in the permanent civil service of the State not-

withstanding that he has not been admitted to office with a certificate from the Civil Service Commissioners.

(3) This section shall apply to any registrar—

(*a*) who is a whole-time registrar within the meaning of this Act; or

(*b*) to whom a salary has been assigned under section forty-five of the principal Act and who gives notice in the prescribed form and within the prescribed period of his desire to accept the provisions of this Act relating to retirement and pensions:

Provided that, if a registrar who was, immediately before his appointment as registrar, an assistant registrar gives notice in the prescribed form and within the prescribed period of his desire to continue subject to the provisions of this Act relating to the retirement and pensions of persons in court service, he shall, for the purposes of retirement and pension, be deemed not to be a registrar to whom this section applies, but to be a person employed in court service.

(4) For the purposes of subsection (2) of this section, the period of service shall be reckoned, in the case of a whole-time registrar, as from the date on which he becomes a whole-time registrar, and, in the case of any other registrar, as from the date on which the order, by virtue of which the salary was assigned to him, came into operation.

(5) The provisions of this section shall apply to the registrars of the district registries of the High Court at Liverpool and Manchester as they apply to registrars of county courts, but in the case of any such district registrar who holds office at the commencement of this Act only if he gives notice in the prescribed form and within the prescribed period of his desire to accept the provisions of this section.

Court service to be pensionable.

5.—(1) Subject to the provisions of this section, employment in court service shall, in the case of a person as respects whom a direction in that behalf is given by the Lord Chancellor with the concurrence of the Treasury, and whether the employment commenced before or after the commencement of this Act, be deemed

to be for all purposes employment in the civil service of the State, and if a certificate has been issued to him by the Civil Service Commissioners, allowances may be granted in his case accordingly under the Superannuation Acts:

Provided that, except in so far as the Treasury may in any case direct, no account shall be taken for the purposes of this section of court service before the issue of the certificate.

(2) Employment in court service shall, in relation to a person in whose case a direction has been given under this section, be deemed to be employment in a public department within the meaning of section four of the Superannuation Act, 1887, as amended by section three of the Superannuation Act, 1914. 50 & 51 Vict. c. 67.

(3) In the case of a person employed in court service who was appointed to his office before the commencement of this Act, any salary or remuneration received by him from any source whatsoever in respect of that office during any period of which account may be taken for the purpose of this section shall, for the purpose of authorising the grant of an allowance or a gratuity under this section, be deemed to have been paid out of moneys provided by Parliament.

(4) Where a person who was employed at the commencement of this Act in court service and in whose case a direction has been given under this section is in consequence of the provisions of this section required, by reason only of his having attained any age, to retire from court service, the Treasury may, if he has been required to devote his whole time to employment in court service and if he had attained the age of fifty-five years on or before the twelfth day of May, nineteen hundred and twenty-three, grant to him by way of compensation such gratuity, not exceeding twice the amount of the salary and emoluments received by him from whatsoever source during his last year of employment, as may seem to them just.

The decision of the Treasury on any question which arises as to the application of this subsection to any person or as to the amount of any gratuity thereunder shall be final.

(5) The provisions of this section shall have effect notwithstanding anything in any contract made between a registrar, a high bailiff, or a district registrar and any other person.

Fees in workmen's compensation proceedings. 6 Edw. 7. c. 58.

6.—(1) No court fee shall be payable by the workman in respect of proceedings in a court under the Workmen's Compensation Act, 1906.

(2) Subject to the provisions of the preceding subsection, the words "without fee" in paragraph (9) of the Second Schedule to the said Act and paragraph (13) of the said schedule shall cease to have effect.

Amendment of s. 59 of principal Act.

7.—(1) Section fifty-nine of the principal Act (which relates to ejectment actions) shall have effect as if for the words "one month from the day of service of the summons" there were substituted the words "such time as may be prescribed by rules of court," and as if the following subsection were added thereto—

"(2) The rules of court prescribing the procedure under this section may make provision for authorising any proceedings which have been brought under section one hundred and thirty-eight or one hundred and thirty-nine of this Act, but which ought to have been brought under this section, to be amended and to be continued under this section, and for the procedure on any such amendment."

(2) This section shall come into operation on the first day of October, nineteen hundred and twenty-four.

Provisions as to striking out plaint, &c.

8. A registrar on the application of the defendant, of the hearing of which application seven clear days' notice shall be given by the defendant to the plaintiff, may order a plaint or other proceeding to be struck out on the ground that it discloses no reasonable cause of action, and shall make such order as to costs as he may think proper.

From the decision of the registrar an appeal shall lie to the county court judge in chambers.

Minor amendments of principal Act.

9.—(1) Section four of the principal Act (which provides for the alteration of county court districts) shall be amended as follows:—

(*a*) The powers conferred by the section shall be exercised by the Lord Chancellor by order instead of by His Majesty by Order in Council:

(*b*) Where an order is made under the section for the discontinuance of the holding of a court, there shall be power to make provision in the order with respect to proceedings which may have been commenced in that court:

(*c*) An order made under the section (including any Order in Council made thereunder before the commencement of this Act) may be varied or revoked by a subsequent order made thereunder.

(2) There shall be payable to brokers and appraisers in respect of the matters mentioned in section one hundred and fifty-four of the principal Act (which regulates the sale of goods taken in execution) out of the produce of goods distrained or sold such fees as may with the consent of the Treasury be prescribed instead of the poundage mentioned in that section.

(3) Section one hundred and eighty of the principal Act (which requires all summonses and other process issuing out of a county court to be under the seal of the court) shall have effect as though for the words "all "summonses and other process issuing out of the said "court" there were substituted the words "all "summonses issuing out of the said court and all such "other documents so issuing as may be prescribed," and as though for the words "other process purporting" there were substituted the words "such other documents purporting."

(4) Where a deputy has been appointed in the case of the illness or unavoidable absence of any registrar to whom the provisions of this Act relating to the retirement and pension of registrars apply, the Lord Chancellor may, with the consent of the Treasury, allow to the registrar such sums in respect of the remuneration and expenses of the deputy as he shall think fit.

(5) The sections of the principal Act specified in the first column of the Second Schedule to this Act, being enactments under which powers in relation to various matters are vested in the Treasury, shall be amended in the manner shown in the second column of that Schedule.

Expenses.

10. All salaries, allowances and other sums payable under this Act shall be paid out of moneys provided by Parliament.

Short title, interpretation, extent and repeal.

11.—(1) This Act may be cited as the County Courts Act, 1924, and shall, except in so far as it amends the Workmen's Compensation Acts, 1906 to 1923, be construed as one with the County Courts Acts, 1888 to 1919, and this Act and the last-mentioned Acts may be cited together as the County Courts Acts, 1888 to 1924.

(2) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"Court" means county court:

"Court service" means employment as an assistant registrar, or as a clerk, bailiff, usher or messenger in the service of a court, or employment as a clerk in the service of a district registry of the High Court, and includes employment in those capacities simultaneously:

"Registrar" means registrar of a court:

51 & 52 Vict. c. 43.

"The principal Act" means the County Courts Act, 1888:

"Solicitor" means solicitor of the Supreme Court:

"Prescribed" means prescribed by order made by the Lord Chancellor.

(3) Nothing in this Act shall affect any of the powers, rights, or privileges of the judges of the Mayor's and City of London Court, or the authority of the Mayor, Aldermen and Commons of the City of London in Common Council assembled in relation to that court, or to the judges or officers thereof, or to the fees taken therein, as the said powers, rights, privileges, and authority existed immediately before the commencement of this Act.

(4) This Act extends only to England.

(5) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

SCHEDULES.

FIRST SCHEDULE.

Section 4.

SCALE OF REGISTRARS' SUPERANNUATION ALLOWANCES.

1. An annual allowance not exceeding one-ninth of the last annual salary may be granted after the completion of a period of service of five years.

2. Where the period of service completed exceeds five years, there may be granted an annual allowance not exceeding one-ninth of the last annual salary with an addition of one-thirty-sixth of that salary for each completed year's service in excess of five.

3. The maximum allowance shall be two-thirds of the last annual salary.

4. For the purpose of this Schedule, the annual salary of a registrar who is also a district registrar of the High Court shall include any salary payable in respect of his services as such district registrar.

SECOND SCHEDULE.

Section 9.

AMENDMENTS WITH RESPECT TO POWERS VESTED IN THE TREASURY UNDER PRINCIPAL ACT.

S. 165 (Power to make orders as to court fees).	For the words "the Treasury from time "to time with the concurrence of the "Lord Chancellor may make orders" there shall be substituted the words "the Lord Chancellor from time to time "with the concurrence of the Treasury "may make orders."
S. 169 (Account of fees and fines).	For the words "as often as he shall be "required so to do by the Treasury "and in such form as the Treasury "shall require" there shall be substituted the words "as often as he is "required by the Lord Chancellor "with the concurrence of the Treasury "so to do and in such form as the "Lord Chancellor with the like concurrence shall require."

S. 171 (Audit of registrars' accounts).	For the words "at such times as he may "be directed by the Treasury" there shall be substituted the words "at "such times as he may be directed "by the Lord Chancellor."
S. 172 (Rules as to balances).	For the words "the Treasury shall from "time to time make such rules" there shall be substituted the words "the "Lord Chancellor with the con- "currence of the Treasury shall from "time to time make such rules."
S. 183 (Registry of judgments).	For the words "under such regulations "as the Treasury shall appoint" there shall be substituted the words "under "such regulations as the Lord "Chancellor shall prescribe," and for the words "such fees shall be charged "to persons desirous of inspecting "the same as shall be appointed by "the Treasury" there shall be substituted the words "such fees shall "be charged to persons desirous of "inspecting the same as shall be "fixed by the Lord Chancellor "with the concurrence of the "Treasury."

Section 11.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
31 & 32 Vict. c. 71.	The County Courts Admiralty Jurisdiction Act, 1868.	Section seventeen.
46 & 47 Vict. c. 52.	The Bankruptcy Act, 1883.	Subsection (14) of section one hundred and twenty-two.

Session and Chapter.	Short Title.	Extent of Repeal.
51 & 52 Vict. c. 43.	The County Courts Act, 1888.	Sections twenty-five, twenty-nine, and thirty, in section thirty-one the words from "Provided that" to the end of the section, in section thirty-three the words "whom the judge shall be empowered to appoint and" and the words from "provided that" to the words "dismissed by the judge," in section thirty-four the words "by the successor of the high bailiff or by the judge" and the words from "and such wages" to the end of the section, sections thirty-six, thirty-seven, thirty-eight and forty-four to forty-seven, and in section one hundred and fifty-four the words from "and the brokers" to the end of the section.
3 Edw. 7. c. 42.	The County Courts Act, 1903.	Section six.
9 & 10 Geo. 5. c. 73.	The County Courts Act, 1919.	Section fifteen from the beginning to the words "court and".

CHAPTER 18.

An Act to prevent unreasonable eviction of tenants. [14th July 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment of 13 & 14 Geo. 5. c. 32. s. 4. ss. (1).

1. Paragraphs (iv) and (v) of subsection (1) of the section which by section four of the Rent and Mortgage Interest Restrictions Act, 1923, is substituted for section five of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920, are hereby repealed as

10 & 11 Geo. 5. c. 17.

respects pending as well as future proceedings, and the following paragraph shall be substituted therefor:

(iv) Where the dwelling-house is reasonably required by the landlord (not being a landlord who has become landlord by purchasing the dwelling-house or any interest therein after the fifth day of May, nineteen hundred and twenty-four) for occupation as a residence for himself or for any son or daughter of his over eighteen years of age and the court is satisfied, having regard to all the circumstances of the case, including any alternative accommodation available for the landlord or the tenant, that greater hardship would be caused by refusing to grant an order or judgment for possession than by granting it.

Application of Act to pending proceedings.

2.—(1) Where any order or judgment has been made or given before the passing of this Act but not executed, and in the opinion of the court the order or judgment would not have been made or given if this Act had been in force at the time when such order or judgment was made or given, the court, on application by the tenant, may rescind or vary the order or judgment in such manner and subject to such conditions as the court shall think fit for the purpose of giving effect to this Act.

(2) Where a landlord has, on or after the fifteenth day of April, nineteen hundred and twenty-four, taken possession of a dwelling-house under a judgment or order so rescinded as aforesaid, such possession shall not in any case exclude the dwelling-house from the operation of the Rent and Mortgage Interest (Restrictions) Acts, 1920 and 1923.

Short title.

3. This Act may be cited as the Prevention of Eviction Act, 1924, and shall be construed as one with the Rent and Mortgage Interest (Restrictions) Acts, 1920 and 1923, and those Acts and this Act may be cited together as the Rent and Mortgage Interest (Restrictions) Acts, 1920 to 1924.

CHAPTER 19.

An Act to extend the powers of the Pacific Cable Board. [14th July 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extension of powers of Pacific Cable Board.

1.—(1) The Pacific Cable Board may, subject to the approval of each of the governments represented on the Board, undertake as agents for and at the expense of the governments of any parts of His Majesty's Dominions any work in connection with telegraphic communication, whether by means of cables or by means of wireless telegraphy, within their existing sphere of operations and within the Caribbean area:

Provided that the accounts of any work so undertaken shall be kept separate and distinct from all other accounts of the Board.

(2) Any work undertaken by the Board as agents for His Majesty's Government before the commencement of this Act in connection with any trans-atlantic cable worked by that Government shall be deemed to have been within the powers of the Board.

(3) The Board, in the event of its undertaking work in connection with telegraphic communication in the West Indies, shall have power to provide and supply to the West Indies a news service similar to the news service supplied by telegraph companies at the commencement of this Act.

Short title. 1 Edw. 7. c. 31. 2 Edw. 7. c. 26. 1 & 2 Geo. 5. c. 36.

2. This Act may be cited as the Pacific Cable Act, 1924, and the Pacific Cable Act, 1901, the Pacific Cable (Amendment) Act, 1902, the Pacific Cable Act, 1911, and this Act may be cited together as the Pacific Cable Acts, 1901 to 1924.

CHAPTER 20.

An Act to amend the Provisional Order (Marriages) Act, 1905. [14th July 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of s. 1 of 5 Edw. 7. c. 23.

1. A Provisional Order made by a Secretary of State under section one of the Provisional Order (Marriages) Act, 1905, for the purpose of removing the invalidity or doubt as to the validity of any marriages, may include such supplemental, incidental and consequential provisions, including provisions for relieving from liability ministers who may have solemnized the marriages to which the order relates, as appear to him to be necessary or expedient.

Short title and citation.

2. This Act may be cited as the Marriages Validity (Provisional Orders) Act, 1924, and the Provisional Order (Marriages) Act, 1905, and this Act may be cited together as the Marriages Validity (Provisional Orders) Acts, 1905 and 1924.

CHAPTER 21.

An Act to grant certain Duties of Customs and Inland Revenue (including Excise), to alter other Duties, and to amend the Law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with Finance. [1st August 1924.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's

public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

Customs and Excise.

Duty on tea.

1. In lieu of the duty of customs payable on tea imported into Great Britain or Northern Ireland, there shall, subject to the provisions of section eight of the Finance Act, 1919 (which relates to imperial preferential rates), be charged, levied and paid as from the fifth day of May, nineteen hundred and twenty-four, until the first day of August, nineteen hundred and twenty-five, the following duty, that is to say:— 9 & 10 Geo. 5. c. 32.

Tea - - - -	the lb.	fourpence.

Reduced duties on cocoa.

2. In lieu of the duties of customs payable on cocoa imported into Great Britain or Northern Ireland there shall, subject to the provisions of section eight of the Finance Act, 1919, be charged, levied and paid as from the thirtieth day of April, nineteen hundred and twenty-four, the following reduced duties, that is to say:—

		s.	*d.*
Cocoa - - - - -	the cwt.	14	0
Cocoa (husks and shells) -	the cwt.	2	0
Cocoa-butter - - -	the lb.	0	1½

Provided that, in the application of this section to any duty charged on manufactured or prepared goods under section seven of the Finance Act, 1901, the first day of July, nineteen hundred and twenty-four, shall be substituted for the thirtieth day of April, nineteen hundred and twenty-four. 1 Edw. 7. c. 7.

Reduced duties on coffee, chicory, and coffee substitutes.

3.—(1) In lieu of the duties of customs payable on coffee and chicory imported into Great Britain or Northern Ireland there shall, subject to the provisions of section eight of the Finance Act 1919, be charged,

levied and paid as from the fifth day of May, nineteen hundred and twenty-four, the following reduced duties, that is to say:—

		s.	*d.*
Coffee (not kiln-dried, roasted or ground)	the cwt.	14	0
Coffee (kiln-dried, roasted or ground)	the lb.	0	2
Chicory (raw or kiln-dried) -	the cwt.	13	3
Chicory (roasted or ground) -	the lb.	0	2

(2) In lieu of the duty of excise payable on chicory there shall, as from the fifth day of May, nineteen hundred and twenty-four, be charged, levied and paid the following reduced duty, that is to say:—

		s.	*d.*
Chicory (raw or kiln-dried) -	the cwt.	10	0

and so in proportion for any less quantity.

(3) In lieu of the duty of excise now payable in respect of coffee substitutes there shall, as from the fifth day of May, nineteen hundred and twenty-four, be charged, levied and paid on any article or substance prepared or manufactured for the purpose of being in imitation of, or in any respect to resemble, or to serve as a substitute for, coffee or chicory, and on any mixture of any such article or substance with coffee or chicory, the following reduced duty, that is to say:—

	s.	*d.*
For every quarter of a pound of any such article, substance or mixture, which is sold or kept for sale in Great Britain or Northern Ireland -	0	0½

(4) For the rates of drawback on coffee and chicory and mixtures of coffee and chicory specified in sub-section (4) of section three of the Finance Act, 1922, there shall be substituted the following reduced rates, that is to say:—

12 & 13 Geo. 5. c. 17.

		s.	*d.*
Coffee - - -	for every 100 lbs.	14	0
Chicory - - -	for every 100 lbs.	11	0
Mixtures of coffee and chicory	for every 100 lbs.	11	0

and so in proportion for any less quantity:

Provided that—

(i) in the case of the drawback on chicory and on mixtures of coffee and chicory, the rate thereof shall, if the duty paid on the chicory, or on the chicory or any part of the chicory contained in the mixture, as the case may be, was either the customs duty at the reduced rate payable under section eight of the Finance Act, 1919, or the excise duty, be nine shillings instead of eleven shillings; and

(ii) the reduction of rates under this subsection shall not have effect in relation to any goods as respects which it is shown to the satisfaction of the Commissioners of Customs and Excise that duty was paid at the rate in force before the fifth day of May, nineteen hundred and twenty-four.

Reduced customs duties on sugar.

4. In lieu of the present customs duties, drawbacks and allowance in respect of sugar, molasses, glucose and saccharin there shall, subject to the provisions of section eight of the Finance Act, 1919, be charged, levied and paid as from the thirtieth day of April, nineteen hundred and twenty-four, the duties specified in the second column of Part I. of the First Schedule to this Act, and there shall, as from the date aforesaid, be paid and allowed the drawbacks and allowance set out in Part II. of the said Schedule, but subject both as respects duties and as respects drawbacks and allowances to the provisions, so far as they are applicable, set out in Part III. of the said Schedule:

Provided that, in the application of this section to any duty charged on manufactured or prepared goods under section seven of the Finance Act, 1901, the first day of July, nineteen hundred and twenty-four, shall be substituted for the thirtieth day of April, nineteen hundred and twenty-four.

1 Edw. 7. c. 7.

Reduced excise duties on sugar.

5.—(1) In lieu of the present excise duties, drawbacks and allowance in respect of sugar, molasses, glucose and saccharin there shall, as from the thirtieth day of April, nineteen hundred and twenty-four, be charged, levied and paid the duties specified in the third column of Part I. of the First Schedule to this Act, and there shall, as from the date aforesaid, be paid

and allowed the drawbacks and allowance set out in Part II. of the said Schedule, but subject both as respects duties and as respects drawbacks and allowances to the provisions, so far as they are applicable, set out in Part III. of the said Schedule.

5 & 6 Geo. 5. c. 89.

(2) The provisions of Part III. of the First Schedule to the Finance (No. 2) Act, 1915, shall apply to the excise duties under this section.

Rate of entertainments duty, and further relief from duty for certain charitable entertainments.

6 & 7 Geo. 5. c. 11.

6.—(1) As from the second day of June, nineteen hundred and twenty-four, entertainments duty within the meaning of the Finance (New Duties) Act, 1916, shall be charged at the rate set out in the Second Schedule to this Act.

(2) Where a person who has made a payment for admission to an entertainment subsequently on being admitted to another part of the place of entertainment makes a further payment for admission in respect of the same entertainment, there shall, for the purposes of entertainments duty, be deemed to have been one payment of an amount equal to the aggregate amount of the several payments.

(3) The provisions of this section shall have effect in relation to any payment made before the said second day of June for admission to an entertainment to be held on or after that date as if the payment had been made on or after that date, and, where duty has been charged on any such payment at the rate in force before that date, the person by whom the duty was paid shall be entitled to repayment of the difference between the amount actually paid and the amount, if any, which would have been chargeable on the said payment if it had been made on or after that date.

(4) Notwithstanding anything in section one of the Finance (New Duties) Act, 1916, as amended by any subsequent enactment, entertainments duty shall not be charged on payments for admission to any entertainment where the Commissioners of Customs and Excise are satisfied that the entertainment has been promoted by a society or institution of a permanent character established or conducted solely or partly for philanthropic or charitable purposes, or by two or more such societies or institutions acting in combination, and that the whole of the net proceeds of the entertainment are

devoted to philanthropic or charitable purposes, and the provisions in subsection (5) of section one of the Finance (New Duties) Act, 1916, which, as amended by subsection (2) of section thirteen of the Finance Act, 1922, require the repayment to the proprietor of an entertainment in certain cases of the amount of the entertainments duty paid in respect of the entertainment, shall have effect as if for the words " and that the whole " of the expenses of the entertainment do not exceed " thirty per cent. of the receipts " there were substi- " tuted the words " and that the whole of the expenses " of the entertainment do not exceed fifty per cent. of " the receipts."

Amendment of s. 11 of Finance Act, 1923, 13 & 14 Geo. 5. c. 14.

7. Section eleven of the Finance Act, 1923 (which gives relief from entertainments duty in the case of certain entertainments), shall be amended as follows:—

(1) Paragraph (*b*) of subsection (1) shall cease to have effect:

(2) The following shall be substituted for paragraph (*c*):—

"(*b*) That the entertainment consists solely of an exhibition—

(i) of the products of an industry, or of materials, machinery, appliances, or foodstuffs used in the production of those products, or displays of skill by workers in the industry in work pertaining to the industry; or

(ii) of works of graphic art, sculpture, and arts craftsmanship, or of one or more of such classes of works, executed and exhibited by persons who practise graphic art, sculpture, or arts craftsmanship for profit and as their main occupation, or of displays of skill by such persons in such arts or crafts; or

(iii) of articles or displays of skill which are of material interest in connection with questions relating to the public health;

or consists solely of such exhibitions or displays of skill, together with a performance of

music by a band or an exhibition of work or displays of skill by children under the age of sixteen years or by young persons attending a school or other educational institution."

Continuation of increased medicine duties. 5 & 6 Geo. 5. c. 89.

8. The additional duties of excise imposed by section eleven of the Finance (No. 2) Act, 1915, upon medicines liable to duty shall continue to be charged, levied and paid until the first day of August, nineteen hundred and twenty-five.

Continuation of new import duties until 1st August, 1924.

9. The new import duties imposed by Part I. of the Finance (No. 2) Act, 1915, shall, subject to the provisions of section eight of the Finance Act, 1919, continue to be charged, levied and paid until the first day of August, nineteen hundred and twenty-four.

Repeal of duty on certain table waters. 6 & 7 Geo. 5. c. 24.

10.—(1) As from the first day of August, nineteen hundred and twenty-four, the excise duty chargeable under section four of the Finance (New Duties) Act, 1916, as amended by section eleven of the Finance Act, 1916, and section five of the Finance Act, 1923, at the rate of twopence per gallon on certain table waters sold or kept for sale in Great Britain or Northern Ireland, and the customs duty chargeable at the rate of fourpence per gallon on certain imported table waters and at the rate of twopence per gallon on herb beer, shall cease.

(2) Where by reason of the foregoing provisions of this section a person who is the holder of a licence authorising him to carry on the business of a manufacturer for sale of table waters ceases before the expiration of the period for which the licence was granted to require such a licence, he shall, on surrendering his licence, be entitled to obtain from the Commissioners of Customs and Excise repayment of such part of the duty paid on the licence as bears to the full amount of that duty the same proportion as the unexpired portion of the period for which the licence was granted bears to the whole of that period.

(3) The power of an officer of Customs and Excise under subsection (2) of section six of the Finance (New Duties) Act, 1916, to enter any premises or place in which any table waters liable to duty are made, prepared, sold or kept for sale shall apply to any premises or place in which any table waters which would have been liable to duty if this section had not been passed are made, prepared, sold or kept for sale.

Increased rebate from excise and customs duties in case of black beer, &c.

11.—(1) In the case of black beer of a specific gravity of one thousand two hundred degrees or upwards, the rebate from the excise duty to be allowed under section two of the Finance Act, 1923, and the rebate from the customs duty to be allowed under section three of that Act, shall, subject as hereinafter provided, instead of being calculated at the rates for which provision is made by those sections respectively, be in each case calculated at the rate of five pounds for every thirty-six gallons of beer of a specific gravity of one thousand two hundred and twenty degrees, and so in proportion for any difference in quantity or gravity:

Provided that the foregoing provision shall not apply to black beer brewed on the premises of a brewer for sale who brews on or sends out from the same premises any beer other than black beer.

(2) A brewer of beer for sale shall not have on the premises used by him for the purposes of his business any black beer of a specific gravity of one thousand two hundred degrees or upwards, unless the beer was brewed by him on the premises, or mix any such beer with any other beer.

(3) If any person acts in contravention of the foregoing subsection, he shall, in respect of each offence, be liable to an excise penalty of fifty pounds, and the beer in respect of which the offence was committed shall be forfeited.

(4) In this section the expression "black beer" means beer of the descriptions called or similar to black beer, mum, spruce, or Berlin white beer, and any other preparations, whether fermented or not, of a similar character, and for the purposes of this section the specific gravity of a fermented preparation shall be taken to be the specific gravity of the worts thereof before fermentation.

Annual value for the purpose of duty on excise licences.

12.—(1) The annual value of any premises for the purpose of the duty on any excise licence charged by reference to the annual value shall be in Great Britain—

(*a*) the income tax value, if there is such a value applicable; and

(*b*) if there is no income tax value applicable, such amount as, in the opinion of the Commissioners of Customs and Excise, represents the annual rent which a free tenant might reasonably be expected, taking one year with another, to pay for the premises, if the tenant undertook to pay all usual tenant's rates and taxes, and tithe commutation rentcharge, if any, and if the landlord undertook to bear the cost of the repairs and insurance, and the other expenses, if any, necessary to maintain the premises in a state to command that rent.

For the purpose of this provision, the income tax value means the value adopted for the purpose of income tax under Schedule A of the Income Tax Act, 1918, and the income tax value shall be deemed to be applicable if the premises to which a value is attached for the purpose of that tax correspond with the premises the annual value of which is required for the purpose of the charge of duty on the licence.

8 & 9 Geo. 5 c. 40.

32 & 33 Vict. c. 67.

(2) In the case of premises to which the Valuation (Metropolis) Act, 1869, does not apply, the person applying for any such excise licence as aforesaid may, if the income tax value applicable to the premises is the amount of a rent paid for the premises, require the Commissioners of Customs and Excise to assess the annual value of the premises for the purposes of the duty to be charged on the licence as if there were no income tax value applicable.

(3) Any person dissatisfied with the annual value of any premises fixed by the said Commissioners under this section may appeal to the General Commissioners of Income Tax for the division in which the premises are situate, who shall hear the appeal and determine the annual value in accordance with the provisions of subsection (1) (*b*) of this section.

(4) The provisions of the Income Tax Acts relating to appeals against assessments to income tax under Schedule A, including the provisions relating to the statement of a case for the opinion of the High Court, shall, so far as they are applicable, apply to any such appeal, and any person nominated in that behalf by the Commissioners of Customs and Excise shall have

the same powers at, and on the determination of, any such appeal as a surveyor of taxes has at, and on the determination of, an appeal under the provisions of the Income Tax Act, 1918, against an assessment to income tax under Schedule A.

(5) In this section the expression "free tenant" means a tenant who is not under any direct or indirect obligation of any kind to obtain a supply of intoxicating liquor from any person.

Amendment as to methylated spirits.

13.—(1) The Commissioners of Customs and Excise may by regulations prescribe what substances or combinations of substances are to be mixed with spirits for the purpose of methylation in the making of power methylated spirits, industrial methylated spirits and mineralised methylated spirits respectively, and the proportions in which those substances or combinations of substances are to be used, and any such regulations may make different provision with respect to different kinds of any of the classes of methylated spirits aforesaid.

43 & 44 Vict. c. 24.

(2) Section one hundred and twenty of the Spirits Act, 1880 (which provides that an authority to receive methylated spirits for use in any art or manufacture shall not be granted until the applicant has given certain security), shall have effect as though the security required to be given by the applicant included the requirement that he will observe such special conditions as the Commissioners of Customs and Excise may consider necessary for preventing the methylated spirits, or any product of the art or manufacture, being used as a beverage.

(3) Section one hundred and thirty of the Spirits Act, 1880 (which imposes a penalty on the preparation, sale or use of methylated spirits or methylic alcohol as a beverage or medicine for internal use), shall have effect as though the references therein to methylated spirits or methylic alcohol included references to mixtures containing methylated spirits or methylic alcohol.

(4) The expression "methylated spirits" in the Spirits Act, 1880, and in any other enactment amending that Act, means spirits methylated in accordance with the provisions of this section, and the expression "mineralised methylated spirits" in the Revenue Act, 1906, means spirits methylated in such manner as may

6 Edw. 7. c. 20.

be required by regulations made under this section to be followed in the making of that class of methylated spirits.

Drawback on exportation of blended tea.

14.—(1) If on the exportation of any tea it is shown to the satisfaction of the Commissioners of Customs and Excise that the tea consists of a blend which was prepared by the exporter from teas in respect of which the duties payable on importation had been duly paid, there shall, subject to the provisions of this section and to such regulations as the Commissioners may prescribe, be allowed a drawback equal to the duty paid thereon.

(2) No drawback shall be allowed on any tea which is exhausted tea or on any tea mixed with exhausted tea or with any matter or thing other than tea.

(3) If, with intent unduly to obtain any drawback under this section, any person enters or ships, or causes to be entered or shipped, or produces or causes to be produced to any officer of Customs and Excise to be shipped for exportation, any tea in respect of which a drawback is not allowed under this section, or so enters, ships or produces, or causes to be entered, shipped or produced, as being tea, any goods which are not tea, he shall, in addition to any other penalty, be liable in respect of each offence to a customs penalty of one hundred pounds, and the goods shall be forfeited.

38 & 39 Vict. c. 63.

(4) In this section the expression "exhausted tea" has the same meaning as in the Sale of Food and Drugs Act, 1875.

Amendment of s. 6 of Revenue Act, 1909. 9 Edw. 7. c. 43.

15. Section six of the Revenue Act, 1909 (which authorises a dealer in beer to warehouse beer brewed in the United Kingdom on which duty has been paid), shall be extended so as to apply to beer brewed elsewhere than in the United Kingdom, and where in pursuance of the said section as amended by this section any beer is deposited in a warehouse for the purpose of being exported or shipped as stores, drawback shall be allowed and paid as if the deposit in the warehouse were the exportation or the shipment of the beer.

Amendment of s. 4 of Finance Act, 1915. 5 & 6 Geo. 5. c. 62.

16. Section four of the Finance Act, 1915 (which authorises an allowance to be made in respect of the duty on spoilt beer), shall be extended so as to apply to

any beer removed from the entered premises of a brewer, whether for consumption or otherwise.

Game certificates and gun licences taken out in Northern Ireland to be available in Great Britain.

17.—(1) Subject to the provisions of this section, a game certificate or a gun licence taken out in Northern Ireland shall, without further payment of duty, be available in Great Britain:

Provided that, if the rates of duty chargeable respectively on game licences and gun licences taken out in Great Britain are higher than the rates of duty chargeable respectively on game certificates and gun licences taken out in Northern Ireland, any such certificate or licence taken out in Northern Ireland shall not be available in Great Britain until the difference between the Irish rate of duty and the British rate of duty has been paid in Great Britain.

(2) This section shall come into operation on the date which is declared by His Majesty in Council to be the date as on which by virtue of legislation passed by the Parliament of Northern Ireland a corresponding concession with respect to the availability in Northern Ireland of game licences and gun licences taken out in Great Britain comes into operation, and shall continue in operation so long only as the corresponding concession continues to have effect, and a declaration made by His Majesty in Council that the corresponding concession has ceased to have effect as from a date specified in the declaration shall, for the purposes of this section, be conclusive evidence of the facts stated therein.

(3) In this section the expressions "game licence" and "game certificate" mean respectively a licence (other than a gamekeeper's licence) or a certificate to kill game taken out under the Game Licences Act, 1860, and the expression "gun licence" means a licence to use or carry a gun taken out under the Gun Licence Act, 1870.

23 & 24 Vict. c. 90.

33 & 34 Vict. c. 57.

Amendments as to licences for mechanically-propelled vehicles.

18.—(1) The holder of a licence taken out for a mechanically-propelled vehicle (including a licence charged with duty under paragraph (*a*) of subsection (2) of section fifteen of the Finance Act, 1922, but not including a licence for a tramcar) may at any time surrender the licence to the council of the county or county borough with which the vehicle is for the time

being registered, or in the case of a licence charged with duty under the said paragraph (*a*) to the council of the county or county borough by which the licence was granted, and shall, subject to the payment, in the case of a licence in respect of a vehicle chargeable with duty under paragraph 1 of the Second Schedule to the Finance Act, 1920, of a fee of five shillings, or, in the case of any other licence, of a fee of ten shillings, be entitled to be repaid by the council by way of rebate of the duty paid for the licence the following amount in respect of each complete month of the period of the currency of the licence which is unexpired at the date of the surrender:—

10 & 11 Geo. 5. c. 18.

(*a*) in the case of a licence taken out for one quarter of the year only or for any less period, a sum equal to one-third of the duty chargeable on a quarterly licence for the vehicle;

(*b*) in the case of a licence of any other class, a sum equal to one-twelfth of the full annual duty chargeable on the licence.

(2) Where in pursuance of the proviso to subsection (2) of section fifteen of the Finance Act, 1922, a licence is taken out by a manufacturer, repairer or dealer for one quarter of the year only, the duty on the licence shall be twenty-seven and one-half per cent., instead of thirty per cent., of the full annual duty.

(3) No duty shall be payable under section thirteen of the Finance Act, 1920, as amended by any subsequent enactment, in respect of a mechanically-propelled vehicle which is used exclusively on roads which are not repairable at the public expense.

(4) For the purposes of this section, the month of March shall be deemed to end on the twenty-fourth day of that month, and the month of April shall be deemed to begin on the twenty-fifth day of March, and in making repayments under this section or under paragraph 6 of the Second Schedule to the Finance Act, 1920, fractions of a penny shall be disregarded.

(5) This section shall come into operation on the first day of January, nineteen hundred and twenty-five.

Part II.

Income Tax and Inhabited House Duty.

Income tax and super-tax for 1924–25.

19.—(1) Income tax for the year 1924–25 shall be charged at the rate of four shillings and sixpence, and the rates of super-tax for that year shall, for the purposes of section four of the Income Tax Act, 1918, as amended by the Finance Act, 1920, be the same as those for the year 1923–24.

(2) All such enactments relating to income tax and super-tax respectively as were in force with respect to the duties of income tax and super-tax granted for the year 1923–24, other than sections twenty, twenty-two, twenty-seven and thirty-one of the Finance Act, 1923, shall have full force and effect with respect to the duties of income tax and super-tax respectively granted by this Act.

(3) The annual value of any property which has been adopted for the purpose of income tax under Schedules A and B for the year 1923–24 shall be taken as the annual value of that property for the same purpose for the year 1924–25:

Provided that this subsection shall not apply to lands, tenements, and hereditaments in the administrative county of London with respect to which the valuation list under the Valuation (Metropolis) Act, 1869, is, by that Act, made conclusive for the purposes of income tax.

Repeal of inhabited house duty.

20. Inhabited house duty shall not be chargeable, in the case of Scotland, in respect of any year subsequent to the year ending on the twenty-fourth day of May, nineteen hundred and twenty-four, and elsewhere in respect of any year subsequent to the year 1923–24.

Increase of amount of deduction under ss. 19 and 20 of Finance Act, 1920.

21. The amount of the deduction to be allowed under section nineteen of the Finance Act, 1920, as amended by this Act and under section twenty of the Finance Act, 1920 (which sections provide respectively for deductions from assessable income in respect of relatives taking charge of widowers' and widows' children or acting as housekeepers, and for such deductions in respect

of widowed mothers, &c.), shall be increased from forty-five pounds to sixty pounds.

Extension of s. 19 of Finance Act, 1920.

22.—(1) Section nineteen of the Finance Act, 1920 (which makes provision for a deduction in respect of relatives taking charge of widowers' or widows' children), shall be extended so as to apply to a person resident with a widower or widow in the capacity of housekeeper as it applies to a person resident with a widower or widow for the purpose of having the charge and care of children, and accordingly for subsection (1) of the said section from the beginning thereof down to the proviso there shall be substituted the following:—

> "If the claimant proves that he is a widower and that for the year of assessment a person, being a female relative of his or of his deceased wife, is resident with him for the purpose of having the charge and care of any child of his or in the capacity of a housekeeper, or that he has no female relative of his own or of his deceased wife who is able and willing to take such charge or act in such capacity and that he has employed some other female person for the purpose he shall, subject as hereinafter provided, be entitled to a deduction of forty-five pounds in respect of that female relative or female person";

and the following shall be added after proviso (*b*) to the said subsection—

> "and
>
> (*c*) not more than one deduction of sixty pounds shall be allowed to any claimant under this section in any year."

(2) References in any enactment to the said section nineteen shall be construed as references to the said section as amended by this section.

Exemption of certain profits of agricultural societies.

23.—(1) Any profits or gains arising to an agricultural society from an exhibition or show held for the purposes of the society shall, if they are applied solely to the purposes of the society, be exempt from income tax.

(2) The expression "agricultural society" in this section means any society or institution established for the purpose of promoting the interests of agriculture, horticulture, live-stock breeding or forestry.

Amendment of subs. (3) of s. 39 of Income Tax Act, 1918.

24. Paragraph (ii) of the proviso to paragraph (*b*) of subsection (3) of section thirty-nine of the Income Tax Act, 1918 (which subsection provides for the exemption from tax of certain income of savings banks), shall have effect as though for the words "where the interest paid or "credited to any depositor in the year for which "exemption is claimed by the bank exceeds the sum "of five pounds" there were substituted the words "where in the year for which exemption is claimed by "the bank, the interest paid or credited to any depositor "out of the income of its funds, other than interest "and dividends arising from investments with the "National Debt Commissioners, exceeds the sum of "fifteen pounds."

Amendment of Rule 8 of No. V. in Schedule A.

25. Rule 8 of No. V. in Schedule A shall have effect as if at the end of paragraph (2) thereof there were added the words "and shall also include additions or "improvements to farmhouses, farm buildings, or "cottages, but only if no increased rent is payable in "respect of the additions or improvements and in so "far as they are made in order to comply with the "provisions of any statute or the regulations or bye-"laws of a local authority."

Relief from tax assessed on income under Case V. of Schedule D.

26. The following rule shall be added after Rule 3 of the Rules applicable to Case V. of Schedule D:—

"4. Where a person who has been charged with tax in respect of income from a possession out of the United Kingdom proves that the total amount of tax, computed in accordance with Rule 1 of the Rules applicable to Cases I and II of Schedule D, which was paid in respect of that income for the first three complete years of assessment during which he was the owner of the possession, exceeds the total amount which would have been paid if he had been assessed for each of those years on the actual amount of the income of each year, he shall be entitled to repayment of the excess.

An application for repayment under this Rule shall be made within twelve months after the end of the three years aforesaid and shall be determined by the Commissioners by whom the assessment for the last of the said three years was made."

Le Ormond L. Rehmuth Co. Bell 1928 A.C. 143.

Right of appeal on questions of domicile, ordinary residence and residence.

27.—(1) Any person who is aggrieved by the decision of the Commissioners of Inland Revenue on any question to which this section applies may, by notice in writing to that effect given to the Commissioners of Inland Revenue within three months from the date on which notice of the decision is given to him, make an application to have his claim for relief heard and determined by the Special Commissioners.

(2) Where any application is made under this section, the Special Commissioners shall hear and determine the claim in like manner as an appeal made to them against an assessment under Schedule D, and all the provisions of the Income Tax Acts relating to such an appeal (including the provisions relating to the statement of a case for the opinion of the High Court on a point of law) shall apply accordingly with any necessary modifications.

(3) This section applies to the following questions:—

(*a*) any question as to ordinary residence arising under subsection (1) of section forty-six of the Income Tax Act, 1918:

(*b*) any question as to domicile or ordinary residence arising under paragraph (*a*) of Rule 2 of the Rules applicable to Case IV of Schedule D, or under paragraph (*a*) of Rule 3 of the Rules applicable to Case V of Schedule D:

(*c*) any question as to residence arising—

(i) under paragraph (*d*) of Rule 2 of the General Rules applicable to Schedule C; or

(ii) under Rule 7 of the Miscellaneous Rules applicable to Schedule D in connection with a claim for repayment of income tax made to the Commissioners of Inland Revenue by the person owning the stocks, funds, shares or securities and entitled to the income arising therefrom, or entitled to the annuities, pensions or other annual sums, as the case may be, and from whose income a deduction has been made on account of the income tax assessed and charged under the said Rule.

Income tax on war bonus, &c.

28. For the purposes of any assessment to income tax for any year which is made on or after, or has not become final and conclusive before, the thirtieth day of April, nineteen hundred and twenty-four, or of any deduction on account of income tax for any year, any increase of or addition to any salary, remuneration, pension, annuity or stipend by way of war bonus, and any other like temporary increase or addition granted in order to meet the rise in the cost of living, shall be, and shall be deemed always to have been, chargeable to tax as salary, remuneration, pension, annuity or stipend, as the case may be, and not as perquisites under Rule 4 of the Rules applicable to Schedule E or under the fourth of the Rules for charging the duties under Schedule E in section one hundred and forty-six of the Income Tax Act, 1842.

5 & 6 Vict. c. 35.

Rate of tax at which repayments in respect of deduction or allowance under Part II. of Finance Act, 1920, are to be made.

29. Any repayment of income tax for any year of assessment, whether ending before or after the thirtieth day of April, nineteen hundred and twenty-four, to which any person may be entitled in respect of any deduction allowed under sections eighteen to twenty-two of the Finance Act, 1920, or in respect of the reduction of the rate of tax on the first two hundred and twenty-five pounds of taxable income under section twenty-three of that Act, shall be made at the standard rate of tax for that year, or at half that rate, as the case may be, but subject to such adjustments as may be proper in cases where relief is given in respect of Dominion income tax:

Provided that, in the case of any person who proves as regards any year that, by reason of the deductions to which he is entitled, he has no taxable income for that year, any repayment to be made shall be a repayment of the whole amount of the tax paid by him, whether by deduction or otherwise, in respect of his income for that year.

Power to recover summarily small amounts of income tax.

30.—(1) Where the amount of any income tax for the time being due and payable under any assessment is less than fifty pounds, the tax may, without prejudice to any other remedy and without prejudice to the provision for recovery of income tax assessed and charged quarterly, be recoverable summarily as a civil debt, and section twenty-nine of the Finance Act, 1921 (which relates to evidence of payment of wages in proceedings under subsection (2) of section one hundred

11 & 12 Geo. 5. c. 32.

and sixty-nine of the Income Tax Act, 1918, for the recovery of income tax), shall apply in the case of proceedings under this section as it applies in the case of proceedings under that section and as if references therein to wages included references to salaries, fees and other emoluments.

(2) Proceedings under this section shall be commenced in the name of a collector of taxes.

Extension of s. 18 of Finance Act, 1923.

31. Section eighteen of the Finance Act, 1923 (which makes provision for the granting of relief in cases where profits arising from the business of shipping are chargeable both to British income tax and to income tax payable under the law in force in any foreign state), shall have effect as if references therein to a foreign state included references to any British Dominion, any territory which is under His Majesty's protection, and any territory in respect of which a mandate is being exercised by the Government of any part of His Majesty's Dominions.

Continuation of s. 21 of Finance Act, 1923.

32. Section twenty-one of the Finance Act, 1923 (which grants an exemption for charities in the Irish Free State in respect of income tax for the year 1923–24), shall apply with respect to income tax chargeable for the year 1924–25 as it applied with respect to income tax chargeable for the year 1923–24.

Explanation of income tax deduction to be annexed to dividend warrants, &c.

8 Edw. 7. c. 69.

33.—(1) Every warrant or cheque or other order drawn or made, or purporting to be drawn or made, after the thirtieth day of November, nineteen hundred and twenty-four, in payment of any dividend or interest distributed by any company, being a company within the meaning of the Companies (Consolidation) Act, 1908, or a company created by letters patent or by or in pursuance of an Act of Parliament, shall have annexed thereto or be accompanied by a statement in writing showing—

(*a*) the gross amount which, after deduction of the income tax appropriate thereto, corresponds to the net amount actually paid; and

(*b*) the rate and the amount of income tax appropriate to such gross amount; and

(*c*) the net amount actually paid.

(2) If a company fails to comply with the provisions of this section, the company shall, in respect of each offence, incur a penalty of ten pounds:

Provided that the aggregate amount of any penalties imposed under this section on any company in respect of offences connected with any one distribution of dividends or interest shall not exceed one hundred pounds.

Part III.

Miscellaneous and General.

Termination of corporation profits tax.

34.—(1) Corporation profits tax shall not be charged on profits arising in an accounting period commencing after the thirtieth day of June, nineteen hundred and twenty-four.

(2) Where an accounting period commenced on or before, but ends after, the said thirtieth day of June, the total profits of the accounting period shall be apportioned between the period up to and including that day and the period beginning immediately thereafter in proportion to the respective lengths of those periods, and corporation profits tax shall be charged on so much, but on so much only, of the profits as are apportioned to the period up to and including the said thirtieth day of June, and every such period shall be an accounting period for the purposes of Part V. of the Finance Act, 1920.

Amendment as to stamp duty on leases of certain dwelling-houses. 54 & 55 Vict. c. 39.

35. Paragraph (1) of the heading "Lease or Tack," in the First Schedule to the Stamp Act, 1891 (which relates to the stamp duty on a lease or tack of any dwelling-house or part of a dwelling-house for a definite term not exceeding a year at a rent not exceeding the rate of ten pounds per annum), and paragraph (*a*) of subsection (1) of section seventy-eight of the said Act (which provides that the duty on any such lease or tack as is mentioned in the said paragraph (1) may be denoted by an adhesive stamp) shall have effect as though "forty pounds" were therein substituted for "ten pounds."

Exemption from stamp duty on receipts for salaries, wages, and superannuation and other like allowances.

36. The following exemption shall be substituted for exemption numbered (6) under the heading "Receipt " given for, or upon the payment of, money amounting " to two pounds or upwards" in the First Schedule to the Stamp Act, 1891:—

"(6) Receipt given for or on account of any salary, pay or wages, or for or on account of any

other like payment made to or for the account or benefit of any person, being the holder of an office or an employee, in respect of his office or employment, or for or on account of money paid in respect of any pension, superannuation allowance, compassionate allowance or other like allowance."

Exemption from stamp duty of securities issued under Treaty with Turkey.

37. Stamp duty shall not be chargeable on any securities which, under the provisions of the Treaty of Peace with Turkey, signed on behalf of His Majesty at Lausanne on the twenty-fourth day of July, nineteen hundred and twenty-three, are to be exempt in the territory of the contracting parties from all stamp duties.

Extension of s. 14 of Finance Act, 1900.
63 & 64 Vict. c. 7.
4 & 5 Geo. 5. c. 76.

38.—(1) All such relief as might have been given under section fourteen of the Finance Act, 1900, as amended by subsequent enactments (but not including section two of the Death Duties (Killed in War) Act, 1914), in respect of the death duties payable on property passing on the death of certain persons killed in the late war shall be given in respect of the death duties payable on the death of persons, being persons to whom this section applies, who die from wounds inflicted, accidents occurring, or disease contracted while on active service against an enemy, or on service which is of a warlike nature, or which, in the opinion of the Treasury, otherwise involves the same risks as active service.

(2) The persons to whom this section applies are the members of His Majesty's Forces who are subject either to the Naval Discipline Act or to military law, whether as officers, non-commissioned officers, or soldiers, under Part V. of the Army Act, or to the Air Force Act.

(3) This section shall apply in the case of any persons dying from any such causes aforesaid arising after the thirty-first day of August, nineteen hundred and twenty-one.

Provision for quarterly payment of savings bank annuities.
16 & 17 Vict. c. 45.
27 & 28 Vict. c. 43.
45 & 46 Vict. c. 51.
51 & 52 Vict. c. 15.

39. Any annuity granted after the tenth day of October, nineteen hundred and twenty-four, under the Government Annuities Acts, 1853 and 1864, as amended by the Government Annuities Act, 1882, shall, instead of being payable half-yearly, be payable quarterly in manner provided by subsections (1) and (2) of section two of the National Debt (Supplemental) Act, 1888.

Continuance during current financial year of s. 58 of 10 & 11 Geo. 5. c. 18. 38 & 39 Vict. c. 45.

40. Section fifty-eight of the Finance Act, 1920 (which provides that amounts applied out of revenue in paying off debt are to be deemed to be expenditure within the meaning of sections four and five of the Sinking Fund Act, 1875), shall apply in relation to the current financial year as it applied in relation to the financial year ending on the thirty-first day of March, nineteen hundred and twenty-one.

Construction, short title, application and repeal. 39 & 40 Vict. c. 36.

41.—(1) Part I. of this Act so far as it relates to duties of customs shall be construed together with the Customs (Consolidation) Act, 1876, and any enactments amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

Part II. of this Act shall be construed together with the Income Tax Acts.

(2) This Act may be cited as the Finance Act, 1924.

(3) Such of the provisions of this Act as relate to matters with respect to which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.

(4) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULES.

FIRST SCHEDULE.

Sections 4 and 5.

SUGAR, &c.

PART I.

DUTIES.

Article.	Customs Duty.	Excise Duty.
	s. *d.*	
Sugar which, when tested by the polariscope, indicates a polarisation exceeding ninety-eight degrees - - - - the cwt.	11 8	A duty equal in each case to five-sixths of the full customs duty.
Sugar of a polarisation not exceeding seventy-six degrees - - - - - the cwt.	5 7	
Sugar of a polarisation—		
Exceeding 76 and not exceeding 77 the cwt.	5 9·4	
„ 77 „ „ 78 „	5 11·6	
„ 78 „ „ 79 „	6 1·9	
„ 79 „ „ 80 „	6 4·1	

Article.	Customs Duty.	Excise Duty.
	s. *d.*	*s.* *d*
Sugar of a polarisation—		
Exceeding 80 and not exceeding 81 the cwt.	6 6·4	
„ 81 „ „ 82 „	6 8·6	
„ 82 „ „ 83 „	6 10·8	
„ 83 „ „ 84 „	7 1·4	
„ 84 „ „ 85 „	7 3·9	
„ 85 „ „ 86 „	7 6·4	
„ 86 „ „ 87 „	7 8·9	
„ 87 „ „ 88 „	7 11·7	
„ 88 „ „ 89 „	8 2·5	
„ 89 „ „ 90 „	8 5·9	
„ 90 „ „ 91 „	8 9·2	
„ 91 „ „ 92 „	9 0·6	
„ 92 „ „ 93 „	9 4·0	
„ 93 „ „ 94 „	9 7·3	
„ 94 „ „ 95 „	9 10·7	A duty
„ 95 „ „ 96 „	10 2·0	equal
„ 96 „ „ 97 „	10 5·4	in each
„ 97 „ „ 98 „	10 8·8	case to
Molasses (except when cleared for use by a licensed distiller in the manufacture of spirits) and invert sugar and all other sugar and extracts from sugar which cannot be completely tested by the polariscope and on which duty is not specially charged by reference to the other provisions of this Part of this Schedule :—		five-sixths of the full customs duty.
If containing 70 per cent. or more of sweetening matter - the cwt.	7 5	
If containing less than 70 per cent. and more than 50 per cent. of sweetening matter - - - - - the cwt.	5 4	
If containing not more than 50 per cent. of sweetening matter the cwt.	2 7	
The amount of sweetening matter to be taken to be the total amount of cane, invert, and other sugar contained in the article as determined by analysis in manner directed by the Commissioners.		
Glucose :—		
Solid - - - - - - the cwt.	7 5	6 2
Liquid - - - - - - „	5 4	4 5
Saccharin (including substances of a like nature or use) - - - - - - the oz.	3 9	3 1

Part II.

Drawbacks and Allowances.

A.—*Customs Drawbacks.*

Nature of Drawback.	Amount or Rate of Drawback.
(1) Drawback on the export, or on the shipment, or deposit in a bonded warehouse, for use as ships' stores, of duty-paid sugar or molasses (including sugar or molasses produced from duty-paid sugar or molasses) which has passed a refinery in Great Britain or Northern Ireland.	In the case of molasses produced in bond an amount equal to the duty paid, and in any other case an amount equal to the duty which would be chargeable on the importation of the like article.
(2) Drawback on the deposit in a bonded warehouse for export of beer in the brewing of which duty-paid sugar or glucose has been used.	An amount equal to the duty paid in respect of the sugar or glucose.
(3) Drawback on the export, or on the shipment, or deposit in a bonded warehouse, for use as ships' stores, of goods (other than beer) in the manufacture or preparation of which in Great Britain or Northern Ireland any duty-paid article has been used.	An amount equal to the duty chargeable in respect of that quantity of the article which appears to the satisfaction of the Treasury to have been used, or, in the case of residual products, to be contained in the goods.
(4) Drawback to be allowed to a refiner on molasses produced in Great Britain or Northern Ireland from duty-paid sugar and delivered to a licensed distiller for use in the manufacture of spirits - - - the cwt.	2*s.* 7*d.*

B.—*Excise Drawbacks.*

(1) Drawback on the export, or on the shipment, or deposit in a bonded warehouse, for use as ships' stores, of any duty-paid article.	An amount equal to the duty paid.

Nature of Drawback.	Amount or Rate of Drawback.
(2) Drawback on the deposit in a bonded warehouse for export of beer in the brewing of which duty-paid sugar or glucose has been used.	An amount equal to the duty paid in respect of the sugar or glucose.
(3) Drawback on the export, or on the shipment, or deposit in a bonded warehouse, for use as ships' stores, of goods (other than beer) in the manufacture or preparation of which in Great Britain or Northern Ireland any duty-paid article has been used.	An amount equal to the duty chargeable in respect of that quantity of the article which appears to the satisfaction of the Treasury to have been used.
(4) Drawback to be allowed to a refiner on molasses produced in Great Britain or Northern Ireland from duty-paid sugar and delivered to a licensed distiller for use in the manufacture of spirits the cwt.	2*s.* 1⅝*d.*
(5) Drawback on the deposit of duty-paid glucose in a warehouse approved by the Commissioners under section two of the Manufacture of Tobacco Act, 1863, for the manufacture of cavendish and negrohead.	An amount equal to the drawback which would have been payable on the export of the glucose.

C.—*Allowances to refiners on Molasses produced in Great Britain or Northern Ireland and used solely for the purpose of food for stock.*

Nature of Allowance.	Rate of Allowance.
	s. *d.*
(1) Allowance on molasses produced from sugar on which duty has been paid on importation - - - - - the cwt.	2 7
(2) Allowance on molasses produced from sugar on which the excise duty has been paid - - - - - - the cwt.	2 1⅝

Part III.

Provisions as to Duties, Drawbacks and Allowances.

1. The charge of a specified amount of duty, or the grant of a specified amount of drawback or allowance, in respect of a specific weight of any article includes a proportionately less duty or drawback or allowance, as the case may be, in respect of any less weight of that article.

2. Molasses imported into, or produced in bond in, Great Britain or Northern Ireland shall not be liable to duty if it is used solely for the purpose of food for stock and the prescribed conditions are complied with in respect thereof.

3. The customs and the excise drawbacks in respect of beer, the excise drawback in respect of glucose deposited in an approved warehouse, and the allowances to refiners on molasses shall only be allowed and paid subject to compliance with the prescribed conditions.

4. The Commissioners in allowing drawback in respect of any manufactured or prepared goods, may, with the consent of the Treasury, in order to facilitate trade, relax any requirements of the Customs Consolidation Act, 1876, as to the giving of security and the examination of the goods.

5. Notwithstanding anything in this Act, drawbacks and allowances shall be allowed and paid at the rates in force before the thirtieth day of April, nineteen hundred and twenty-four, in all cases where it is shown to the satisfaction of the Commissioners that duties were paid at the rates in force before that date.

6. If any person acts in contravention of any prescribed condition, or any condition imposed by the Commissioners under the provisions of any previous Act in relation to the use of molasses solely as food for stock, he shall, for each offence, be liable to a customs penalty or an excise penalty, as the case may be, of fifty pounds.

7. In this Schedule, unless the context otherwise requires,—

(*a*) The expression "duty" means the duty of customs or the duty of excise, as the case may be, imposed by sections four or five of this Act;

(*b*) The expression "duty-paid" in relation to any goods means goods in respect of which the Commissioners have been satisfied that duty has been paid;

(*c*) The expression "the Commissioners" means the Commissioners of Customs and Excise;

(*d*) The expression "prescribed conditions" means such conditions for the protection of the Revenue in respect of proof or security or otherwise as the Commissioners may prescribe.

Section 6.

SECOND SCHEDULE.

RATE OF ENTERTAINMENTS DUTY.

Amount of Payment.								Rate of Duty.	
Where the amount of the payment for admission, excluding the amount of the duty—									
	s.	*d.*				*s.*	*d.*	*s.*	*d.*
exceeds	0	6	and does not exceed			0	7	0	1
,,	0	7	,,		,,	0	8	0	1½
,,	0	8	,,		,,	1	1	0	2
,,	1	1	,,		,,	1	3	0	3
,,	1	3	,,		,,	2	0	0	4
,,	2	0	,,		,,	3	0	0	6
,,	3	0	,,		,,	5	0	0	9
,,	5	0	,,		,,	7	6	1	0
,,	7	6	,,		,,	10	6	1	6
,,	10	6	,,		,,	15	0	2	0
,,	15	0	-	-	-	-	-	2	0 for the first 15*s.*, and 6*d.* for every 5*s.* or part of 5*s.* over 15*s.*

Section 41.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
43 Geo. 3. c. 161.	The House Tax Act, 1803	The whole Act.
48 Geo. 3. c. 55.	The House Tax Act, 1808	The whole Act.
57 Geo. 3. c. 25.	The House Tax Act, 1817	The whole Act.
6 Geo. 4. c. 7.	The House Tax Act, 1825	The whole Act.
2 & 3 Will. 4. c. 113.	The House Tax Act, 1832	The whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Vict. c. 37.	The Land Tax Act, 1842 -	Sections three, four and five so far as they relate to inhabited house duty.
14 & 15 Vict. c. 36.	The House Tax Act, 1851	The whole Act.
20 & 21 Vict. c. 58.	The Lands Valuation (Scotland) Act, 1857.	In section one the words " and assessed taxes " and in section three the words " or assessed " taxes."
30 & 31 Vict. c. 90.	The Revenue Act, 1867 -	Section twenty-five.
32 & 33 Vict. c. 67.	The Valuation (Metropolis) Act, 1869.	Paragraph (2) (a) and the last paragraph but one of section forty-five and in section seventy-six the words " to the " duty on inhabited " houses or ".
34 & 35 Vict. c. 103.	The House Tax Act, 1871	The whole Act.
41 & 42 Vict. c. 15.	The Customs and Inland Revenue Act, 1878.	Section thirteen and, so far as it relates to inhabited house duty, section sixteen.
43 & 44 Vict. c. 19.	The Taxes Management Act, 1880.	The whole Act so far as it relates to inhabited house duty.
43 & 44 Vict. c. 24.	The Spirits Act, 1880 -	In section three the definition of methylated spirits, and subsection (3) of section one hundred and twenty-three.
44 & 45 Vict. c. 12.	The Customs and Inland Revenue Act, 1881.	Sections twenty-three and twenty-four.
45 & 46 Vict. c. 72.	The Revenue, Friendly Societies and National Debt Act, 1882.	Section seven.
46 & 47 Vict. c. 55.	The Revenue Act, 1883 -	In section twelve the words " general com- " missioners and addi- " tional commis- " sioners."

Session and Chapter.	Short Title.	Extent of Repeal.
47 & 48 Vict. c. 62.	The Revenue Act, 1884 -	Section six, and paragraphs (1) and (3) of section seven and, so far as it relates to inhabited house duty, paragraph (2) of section seven.
52 & 53 Vict. c. 42.	The Revenue Act, 1889 -	Section thirteen, and, so far as it relates to inhabited house duty, section fourteen.
53 & 54 Vict. c. 8.	The Customs and Inland Revenue Act, 1890.	Sections twenty-five, twenty-six, twenty-seven, and twenty-eight and subsection (1) of section thirty-two.
54 & 55 Vict. c. 13.	The Taxes (Regulation of Remuneration) Act, 1891.	Sections one, three, four, and six, and, so far as they relate to inhabited house duty, sections two and five.
55 & 56 Vict. c. 25.	The Taxes (Regulation of Remuneration) Amendment Act, 1892.	Subsection (2) of section one.
59 & 60 Vict. c. 28.	The Finance Act, 1896 -	Section thirty.
1 Edw. 7. c. 7.	The Finance Act, 1901 -	Section thirteen.
3 Edw. 7. c. 46.	The Revenue Act, 1903 -	Sections one and eleven.
6 Edw. 7. c. 20.	The Revenue Act, 1906 -	Subsection (3) of section one and in subsection (1) of section four the definition of mineralised methylated spirits.
7 Edw. 7. c. 13.	The Finance Act, 1907 -	Section twenty-three.
8 Edw. 7. c. 16.	The Finance Act, 1908 -	Section eight.
9 Edw. 7. c. 43.	The Revenue Act, 1909 -	In section six the words "brewed in the United Kingdom."
9 Edw. 7. c. 44.	The Housing, Town Planning, &c. Act, 1909.	Section thirty-five.
1 & 2 Geo. 5. c. 2.	The Revenue Act, 1911 -	Subsection (1) of section eight.
1 & 2 Geo. 5. c. 48.	The Finance Act, 1911 -	Section fifteen.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Geo. 5. c. 7.	The Finance Act, 1914 (Session 2).	In section six the words from "and where any beer" to the end of the section.
5 & 6 Geo. 5. c. 62.	The Finance Act, 1915 -	In subsection (1) of section four the words "for consumption."
5 & 6 Geo. 5. c. 89.	The Finance (No. 2) Act, 1915.	As from the second day of August, nineteen hundred and twenty-four, subsection (1) of section twelve, and section thirteen, except subsection (1) and the last paragraph of subsection (4).
6 & 7 Geo. 5. c. 11.	The Finance (New Duties) Act, 1916.	The scale of duty in subsection (1) and paragraph (c) of subsection (5) of section one.
6 & 7 Geo. 5. c. 24.	The Finance Act, 1916 -	Section eleven, as from the first day of August, nineteen hundred and twenty-four, and section nineteen.
7 & 8 Geo. 5. c. 31.	The Finance Act, 1917 -	Section three.
8 & 9 Geo. 5. c. 15.	The Finance Act, 1918 -	Sections eleven and thirteen, subsection (1) of section sixteen, and section thirty-three.
8 & 9 Geo. 5. c. 40.	The Income Tax Act, 1918	In Schedule D, Rule 3 to Case IV., and Rule 4 to Case V.
9 & 10 Geo. 5. c. 32.	The Finance Act, 1919 -	Section seven.
10 & 11 Geo. 5. c. 18.	The Finance Act, 1920 -	Subsection (2) of section eleven.
11 & 12 Geo. 5. c. 32.	The Finance Act, 1921 -	Section nine.
12 & 13 Geo. 5. c. 17.	The Finance Act, 1922 -	Section twelve, as from the first day of August, nineteen hundred and twenty-four.

Session and Chapter.	Short Title.	Extent of Repeal.
13 & 14 Geo. 5. c. 14.	The Finance Act, 1923 -	Sections five and nine, as from the first day of August, nineteen hundred and twenty-four; sections fifteen, twenty, and twenty-two; section twenty-six so far as it relates to inhabited house duty; and sections twenty-seven and thirty-one.

CHAPTER 22.

An Act to amend the law with respect to the carriage of goods by sea. [1st August 1924.]

WHEREAS at the International Conference on Maritime Law held at Brussels in October, 1922, the delegates at the Conference, including the delegates representing His Majesty, agreed unanimously to recommend their respective Governments to adopt as the basis of a convention a draft convention for the unification of certain rules relating to bills of lading:

And whereas at a meeting held at Brussels in October, 1923, the rules contained in the said draft convention were amended by the Committee appointed by the said Conference:

And whereas it is expedient that the said rules as so amended and as set out with modifications in the Schedule to this Act (in this Act referred to as "the Rules") should, subject to the provisions of this Act, be given the force of law with a view to establishing the responsibilities, liabilities, rights and immunities attaching to carriers under bills of lading:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Application of Rules in Schedule.

1. Subject to the provisions of this Act, the Rules shall have effect in relation to and in connection with the carriage of goods by sea in ships carrying goods from any port in Great Britain or Northern Ireland to any other port whether in or outside Great Britain or Northern Ireland.

Absolute warranty of seaworthiness not to be implied in contracts to which Rules apply.

2. There shall not be implied in any contract for the carriage of goods by sea to which the Rules apply any absolute undertaking by the carrier of the goods to provide a seaworthy ship.

Statement as to application of Rules to be included in bills of lading.

3. Every bill of lading, or similar document of title, issued in Great Britain or Northern Ireland which contains or is evidence of any contract to which the Rules apply shall contain an express statement that it is to have effect subject to the provisions of the said Rules as applied by this Act.

Modification of Article VI. of Rules in relation to coasting trade.

4. Article VI. of the Rules shall, in relation to the carriage of goods by sea in ships carrying goods from any port in Great Britain or Northern Ireland to any other port in Great Britain or Northern Ireland or to a port in the Irish Free State, have effect as though the said Article referred to goods of any class instead of to particular goods and as though the proviso to the second paragraph of the said Article were omitted.

Modification of Rules 4 and 5 of Article III. in relation to bulk cargoes.

5. Where under the custom of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, notwithstanding anything in the Rules, the bill of lading shall not be deemed to be primâ facie evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of shipment shall not be deemed to have been guaranteed by the shipper.

Short title, saving, and operation.

6.—(1) This Act may be cited as the Carriage of Goods by Sea Act, 1924.

(2) Nothing in this Act shall affect the operation of sections four hundred and forty-six to four hundred and fifty, both inclusive, five hundred and two, and five

57 & 58 Vict. c. 60.

hundred and three of the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or the operation of any other enactment for the time being in force limiting the liability of the owners of seagoing vessels.

(3) The Rules shall not by virtue of this Act apply to any contract for the carriage of goods by sea made before such day, not being earlier than the thirtieth day of June, nineteen hundred and twenty-four, as His Majesty may by Order in Council direct, nor to any bill of lading or similar document of title issued, whether before or after such day as aforesaid, in pursuance of any such contract as aforesaid.

SCHEDULE.

RULES RELATING TO BILLS OF LADING.

ARTICLE I.

DEFINITIONS.

In these Rules the following expressions have the meanings hereby assigned to them respectively, that is to say—

(*a*) "Carrier" includes the owner or the charterer who enters into a contract of carriage with a shipper:

(*b*) "Contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charterparty from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same:

(*c*) "Goods" includes goods, wares, merchandises, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried:

(*d*) "Ship" means any vessel used for the carriage of goods by sea:

(*e*) "Carriage of goods" covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

Pyrene v Scindia; Goodwin v Lamport; Holt & W Steamships v Hoskin

ARTICLE II.

RISKS.

Subject to the provisions of Article VI., under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

ARTICLE III.

RESPONSIBILITIES AND LIABILITIES.

1. The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to—

(*a*) Make the ship seaworthy:

(*b*) Properly man, equip, and supply the ship:

(*c*) Make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage and preservation.

2. Subject to the provisions of Article IV., the carrier shall properly and carefully load, handle, stow, carry, keep, care for and discharge the goods carried.

3. After receiving the goods into his charge, the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things—

(*a*) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage;

(*b*) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper;

(*c*) The apparent order and condition of the goods:

Provided that no carrier, master or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately to represent the goods actually received, or which he has had no reasonable means of checking.

4. Such a bill of lading shall be primâ facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (*a*), (*b*), and (*c*).

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, or, if the loss or damage be not apparent, within three days, such removal shall be primâ facie evidence of the delivery by the carrier of the goods as described in the bill of lading.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

7. After the goods are loaded the bill of lading to be issued by the carrier, master or agent of the carrier, to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this Article be deemed to constitute a "shipped" bill of lading.

8. Any clause, covenant or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault or failure in the duties and obligations provided in this Article or lessening such liability otherwise

than as provided in these Rules, shall be null and void and of no effect.

A benefit of insurance or similar clause shall be deemed to be a clause relieving the carrier from liability.

ARTICLE IV.

RIGHTS AND IMMUNITIES.

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped and supplied, and to make the holds, refrigerating and cool chambers and all other parts of the ship in which goods are carried fit and safe for their reception, carriage and preservation in accordance with the provisions of paragraph 1 of Article III.

Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this section.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from—

(*a*) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship :

(*b*) Fire, unless caused by the actual fault or privity of the carrier :

(*c*) Perils, dangers and accidents of the sea or other navigable waters :

(*d*) Act of God :

(*e*) Act of war :

(*f*) Act of public enemies :

(*g*) Arrest or restraint of princes, rulers or people, or seizure under legal process :

(*h*) Quarantine restrictions :

(*i*) Act or omission of the shipper or owner of the goods, his agent or representative :

(*j*) Strikes or lock-outs or stoppage or restraint of labour from whatever cause, whether partial or general :

(*k*) Riots and civil commotions :

(*l*) Saving or attempting to save life or property at sea :

(*m*) Wastage in bulk or weight or any other loss or damage arising from inherent defect, quality, or vice of the goods :

(*n*) Insufficiency of packing:

(*o*) Insufficiency or inadequacy of marks:

(*p*) Latent defects not discoverable by due diligence:

(*q*) Any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault or neglect of the shipper, his agents or his servants.

4. Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of these Rules or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding 100*l*. per package or unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be primâ facie evidence, but shall not be binding or conclusive on the carrier.

By agreement between the carrier, master or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with goods if the nature or value thereof has been knowingly misstated by the shipper in the bill of lading.

6. Goods of an inflammable, explosive or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented, with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment.

If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

Article V.

Surrender of Rights and Immunities, and Increase of Responsibilities and Liabilities.

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities and liabilities under the Rules contained in any of these Articles, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of these Rules shall not be applicable to charterparties, but if bills of lading are issued in the case of a ship under a charterparty they shall comply with the terms of these Rules. Nothing in these Rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

Article VI.

Special Conditions.

Notwithstanding the provisions of the preceding Articles, a carrier, master or agent of the carrier, and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness, so far as this stipulation is not contrary to public policy, or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a non-negotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect:

Provided that this Article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms and conditions under which the carriage is to be performed, are such as reasonably to justify a special agreement.

ARTICLE VII.

LIMITATIONS ON THE APPLICATION OF THE RULES.

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by sea.

ARTICLE VIII.

LIMITATION OF LIABILITY.

The provisions of these Rules shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of sea-going vessels.

ARTICLE IX.

The monetary units mentioned in these Rules are to be taken to be gold value.

CHAPTER 23.

An Act to enable the Trustees of the British Museum to make loans of objects comprised in the collections of the British Museum for public exhibition, and to make regulations for that purpose. [1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Power of Trustees to make loans of objects for public exhibition.

1.—(1) The Trustees of the British Museum shall have power at their discretion, and under such regulations as they may think fit from time to time to prescribe, to lend, for public exhibition in any gallery or museum under the control of a public authority or university in Great Britain, any duplicates of printed

books, prints, medals, coins or of other objects comprised in the collections of the Museum, or any object, not being a duplicate, which in their opinion can be temporarily removed from the Museum without injury to the interests of students or of the public visiting the exhibition galleries of the Museum.

(2) Before making any such loan the Trustees shall be satisfied that due provision is made for the safety and insurance of the specimens lent and for payment of all expenses in connection with the removal and return of the said specimens or otherwise in connection with such loan.

Saving clause.

2. Except in so far as is hereinbefore expressed, nothing in this Act shall affect the rights, powers, duties or obligations of the Trustees of the British Museum.

Short title.

3. This Act shall be cited for all purposes as the British Museum Act, 1924.

CHAPTER 24.

An Act to amend the law with respect to Customs in the Isle of Man. [1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Duties on tobacco.

8 & 9 Geo. 5. c. 41.

1. The additional duties of Customs on tobacco removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1918, shall continue to be charged, levied, and paid as from the first day of August, nineteen hundred and twenty-four, until the first day of August, nineteen hundred and twenty-five.

Duties on ale or beer.

9 & 10 Geo. 5. c. 74.

2. The additional duties of Customs on ale or beer removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1919, shall continue to be

charged, levied, and paid as from the first day of August, nineteen hundred and twenty-four, until the first day of August, nineteen hundred and twenty-five.

Duties on spirits.
11 & 12 Geo. 5. c. 40.

3. The additional duties of Customs on spirits removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1921, shall continue to be charged, levied, and paid as from the first day of August, nineteen hundred and twenty-four, until the first day of August, nineteen hundred and twenty-five.

Duties on cocoa.

4.—(1) On and from the first day of August, nineteen hundred and twenty-four, until the first day of August, nineteen hundred and twenty-five, there shall be charged, levied, and paid on cocoa removed or imported into the Isle of Man, shown to the satisfaction of the Commissioners of Customs and Excise to have been consigned from and grown, produced or manufactured in, the British Empire, and on other cocoa respectively, the following duties of Customs:—

		Rate of Duty	
		consigned from and grown, produced, or manufactured in, the British Empire.	consigned from, grown, produced, or manufactured elsewhere.
		s. *d.*	*s.* *d.*
Cocoa - - -	cwt.	11 8	14 0
Husks and shells -	cwt.	1 8	2 0
Cocoa butter - -	lb.	0 $1\frac{1}{4}$	0 $1\frac{1}{2}$

(2) The duties of Customs imposed by this section are duties of Customs within the meaning of section seven of the Finance Act, 1901, and the Customs (Tariff) Act, 1876, shall apply to the Isle of Man so far as is necessary to give effect to that section.

1 Edw. 7. c. 7.
39 & 40 Vict. c. 35.

Short title.

5. This Act may be cited as the Isle of Man (Customs) Act, 1924.

CHAPTER 25.

An Act to provide for raising further Money for the purpose of the Telegraph Acts, 1863 to 1922, and to make provision with respect to the application of sums arising from the sale of property acquired for the purposes of the telephonic system. [1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Grant for purposes of Telegraph Acts.

1.—(1) The Treasury may, with a view to the development of the telephonic system in Great Britain and Northern Ireland, without prejudice to the exercise of any powers previously given for the like purpose, issue out of the Consolidated Fund, or the growing produce thereof, such sums not exceeding in the whole the sum of seventeen million pounds as may be required by the Postmaster-General for the purpose of developing the telephonic system according to estimates approved by the Treasury.

(2) The Treasury may, if they think fit, for the purpose of providing money for sums so authorised to be issued out of the Consolidated Fund, or for repaying to that fund all or any part of the sums so issued, borrow by means of terminable annuities for a term not exceeding twenty years, and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament for the service of the Post Office, and if those moneys are insufficient shall be charged on and paid out of the Consolidated Fund, or the growing produce thereof.

(4) The Treasury may also, if they think fit, for the same purpose borrow money by means of the issue of Exchequer bonds, and the Capital Expenditure (Money) Act, 1904, shall have effect as if this Act had been in force at the time of the passing of that Act.

4 Edw. 7. c. 21.

1 & 2 Geo. 5. c. 26.

(5) Section five of the Telephone Transfer Act, 1911 (which relates to audit), shall have effect as if this Act were included amongst the Acts therein mentioned.

Application of sums arising from sale of telephone assets.

2. Any sums arising from the sale of any property acquired out of moneys provided under any Act authorising the raising of moneys for the purpose of developing the telephonic system may, if the Treasury so direct, instead of being paid into the Exchequer, either be treated as if they had been raised under any such Act as aforesaid which may for the time being be in force and applied accordingly for the purpose aforesaid, or be applied in redeeming or paying off any annuities or securities created under any such Act:

Provided that, where any such sums are applied in the same manner as if they were sums raised under any such Act as aforesaid, the amount authorised to be raised under that Act shall be correspondingly reduced.

Short title.

3. This Act may be cited as the Telegraph (Money) Act, 1924, and may be cited with the Telegraph Acts, 1863 to 1922.

CHAPTER 26.

An Act to grant money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans.

[1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Grants for public works.

1.—(1) There may be issued by the National Debt Commissioners for the purpose of local loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of twenty-five million pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act

granting money for the purposes of these loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887. 50 & 51 Vict. c. 16.

Certain debt not to be reckoned as asset of local loans fund.

2. Whereas it is expedient that the principal of the local loan specified in the table contained in the Schedule to this Act should, to the extent specified in the last column of that table, not be reckoned as an asset of the local loans fund established under the National Debt and Local Loans Act, 1887:

Now, therefore, the principal of the said loan to the extent aforesaid shall be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and interest in respect of Eyemouth Harbour loan.

3. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland:

And whereas by an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan was extinguished without prejudice to the liability of the Fishery Board for Scotland to repay the said loan, and in consequence thereof the said collateral security is the sole security for the repayment of the said loan: 1 Edw. 7. c. 35.

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March, eighteen hundred and ninety-two, whereby a portion of the surplus herring brand fees as defined in clause three of the said memorandum was pledged in security for the repayment of the said loan with interest by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the surplus herring brand fees of any one year should only be applicable to the repayment of one-fiftieth part of principal and interest on outstanding principal falling due under the

security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the surplus herring brand fees so pledged as aforesaid was in the year ending the thirty-first day of March, nineteen hundred and twenty-four, insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of two hundred pounds with interest amounting to one hundred and twenty-five pounds seven shillings now remains unpaid, and under the terms of the said memorandum of agreement is irrecoverable:

Now, therefore, the said principal sum of two hundred pounds shall be extinguished, and the said arrears of interest amounting to one hundred and twenty-five pounds seven shillings shall be remitted.

Short title.

4. This Act may be cited as the Public Works Loans Act, 1924.

Section 2.

SCHEDULE.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

LOAN UNDER THE HARBOURS AND PASSING TOLLS ACT, 1861. (24 & 25 Vict. c. 47.)

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£	£
Eyemouth Harbour Trustees -	10,000	200

CHAPTER 27.

An Act to amend the Law of Conveyancing in Scotland. [1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Short title, extent and commencement of Act.

1.—(1) This Act may be cited as the Conveyancing (Scotland) Act, 1924.

(2) This Act shall, except where otherwise provided, come into operation on the first day of January, nineteen hundred and twenty-five.

(3) This Act shall apply to Scotland only.

Interpretation clause.

2. The words and expressions after mentioned or referred to shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say) :—

(1) The words and expressions used in this Act and in the schedules annexed to this Act which are interpreted in the Titles to Land Consolidation (Scotland) Act, 1868, and the Conveyancing (Scotland) Act, 1874, shall have the meaning assigned thereto respectively by these Acts, subject to the following qualifications :— 31 & 32 Vict. c. 101. 37 & 38 Vict. c. 94.

(*a*) "Land" or "lands" shall not include "securities";

(*b*) "Heritable securities" and "securities" shall include real burdens and securities by way of ground annual, which either appear in the appropriate Register of Sasines as a burden on the land out of which they are payable or are contained in a deed the recording of which in such Register on behalf of the original creditor would infeft him therein and in the land out of which the same are payable, or either of them, and securities over a lease, but shall not include securities constituted by ex facie absolute disposition; and

(*c*) "Conveyance" and "deed" and "instrument" shall include all deeds, notices of title, decrees, petitions and writings specified in this Act; and these words and the words "writing," "writ" and "decree" occurring in the said Acts and in this Act shall each mean and include an extract or office copy of such "conveyance," "deed," "instrument," "writing," "writ" or "decree":

(2) "Extract" and "office copy" shall each mean and include a duly authenticated extract of any act, decree or warrant of the Lords of Council and Session, or any inferior court, or a duly authenticated extract or office copy from the Register of the Great Seal, or from the Books of Council and Session, or of any sheriff court, or of any other public authentic register of probative writs, or from the appropriate Register of Sasines, of any conveyance, deed, instrument, writing, writ or decree, and shall also mean and include a probate of the will or testamentary settlement of a person deceased issued by any court of probate in England or Northern Ireland, or in any part of His Majesty's Dominions, or an exemplification of such probate:

(3) "Deduction of title" shall mean the specification in a deed, decree or instrument of the writ or series of writs (without narration of the contents thereof) by which the person granting such deed or in whose favour such decree is conceived or by whom such instrument is expede, has acquired right from the person from whom such title is deduced, and such specification shall be a compliance with an instruction to "deduce" a title in terms of this Act:

(4) "Adjudication" shall include adjudication whether for debt or in implement, and constitution and adjudication whether for debt or in implement, and declarator and adjudication:

(5) "Lease" shall mean a lease which has been registered or is registrable in the Register of Sasines in virtue of the Registration of Leases (Scotland) Act, 1857, and Acts amending the same:

20 & 21 Vict. c. 20.

(6) "Law agent" shall mean and include writers to the signet, solicitors in the supreme courts, procurators in any sheriff court, and every person entitled to practise as an agent in a court of law in Scotland:

(7) "Agent" in the Schedules hereto shall mean law agent or notary public:

(8) "Register of Sasines" shall mean and include the General Register of Sasines, the Particular Registers of Sasines now discontinued, the Register of Sasines kept for any royal or other burgh and the Register of Booking in the burgh of Paisley.

Disposition, &c. by person uninfeft.

3. If a disposition of land, or an assignation, discharge or deed of restriction of a heritable security duly recorded in the appropriate Register of Sasines, or of any part of such security, is granted by a person having a right to such land, or to such heritable security, or such part thereof, but whose title to such land or heritable security or part thereof has not been completed by being so recorded, and who in such disposition or other deed deduces his title from the person last infeft or having the last recorded title, in or as nearly as may be in the terms of Form No. 1 of Schedule A to this Act in the case of land, or in or as nearly as may be in manner prescribed in Note 2 to Schedule K to this Act in the case of a heritable security, then on such disposition or other deed being recorded in the appropriate Register of Sasines, the title of the grantee thereof shall be in all respects in the same position as if his title were completed as at the date of such recording by notarial instrument duly expede and recorded according to the present law and practice; and the provisions of section one hundred and forty-six of the Titles to Land Consolidation (Scotland) Act, 1868, shall apply to such disposition.

Completion of title.

4. Any person having right either to land or to a heritable security by a title which has not been completed by being recorded in the appropriate Register of Sasines, may complete his title in manner following:—

(1) A person having such right to land may complete a title thereto by recording in the appropriate Register of Sasines a notice of title in or as nearly as may be in the terms of Form No. 1 of

Schedule B to this Act, in which notice of title such person shall deduce his title from the person last infeft :

(2) When the writ forming the immediate connection with the person last infeft is an unrecorded conveyance, deed or decree, the recording of which in the appropriate Register of Sasines on behalf of the person in whose favour the same is conceived would have completed his title by infeftment, the person having such right to the land therein contained or part thereof may complete a title thereto by recording in the appropriate Register of Sasines such conveyance, deed or decree, docqueted in manner prescribed in Note 7 to Schedule B to this Act, along with a notice of title in or as nearly as may be in the terms of Form No. 2 of that Schedule, in which notice of title such person shall deduce his title from the person in whose favour such conveyance, deed or decree is conceived :

(3) A person having such right to a heritable security, or part thereof, which appears in the appropriate Register of Sasines as a burden on land, may complete a title thereto by recording in the appropriate Register of Sasines a notice of title in or as nearly as may be in the terms of Form No. 3 of Schedule B to this Act, or in the case of a ground-annual in or as nearly as may be in the terms of Form No. 4 of that Schedule, in which notice of title such person shall deduce his title from the person last infeft in such heritable security or holding the last recorded title thereto :

(4) A person having such right to an unrecorded heritable security or part thereof contained in a deed the recording of which in the appropriate Register of Sasines on behalf of the original creditor would have infeft him therein and in the land out of which it is payable, or either of them, but which has not been so recorded, may complete a title thereto by recording in the appropriate Register of Sasines such heritable security, which shall be docqueted in manner prescribed in Note 7 to Schedule B to this Act,

along with a notice of title in or as nearly as may be in the terms of Form No. 5 of that Schedule, or in the case of a ground-annual in or as nearly as may be in the terms of Form No. 6 of that Schedule, in which notice of title such person shall deduce his title from the original creditor in such heritable security.

And on such notice of title being recorded as in this section provided, the title of the person on whose behalf it is recorded shall be in all respects in the same position as if his title were completed as at the date of such recording by notarial instrument in the appropriate form duly expede and recorded according to the present law and practice.

Deduction of title.

5.—(1) In a deduction of title in terms of this Act it shall be competent to specify as a title or as a midcouple or link of title, any statute, conveyance, deed, instrument, decree or other writing whereby a right to land or to any estate or interest in or security over land is vested in or transmitted to any person, or in virtue of which a notarial instrument could be expede, or which could be used as a midcouple or link of title in expeding such instrument, or any minute of a meeting at which any person is appointed to any place or office, if such appointment involves a right to land or to an estate or interest in or security over land; and any copy of or excerpt from such minute of meeting certified as correct by the chairman of such meeting or other person duly authorised to sign such minute or to give extracts therefrom, or by any law agent or notary public shall be primâ facie evidence of the terms of such minute of meeting.

(2) (*a*) When the holder of a heritable security from which executors are not excluded has died, whether infeft or uninfeft, or with or without a recorded title, and whether testate or intestate, any confirmation in favour of an executor of such deceased which includes such security shall of itself be a valid title to the debt thereby secured, and shall also be a warrant for such executor dealing with such debt and also with such security in terms of the third and seventh sections of this Act, and also for completing a title to such security in terms of the fourth section of this Act.

(*b*) For the purposes of this subsection, "confirmation" shall include any probate or letters of administration

or other grant of representation to movable or personal estate of a deceased person issued by any court in England or Northern Ireland or any part of His Majesty's dominions which has been or shall have been produced in the Commissary Court of the County of Edinburgh and certified by the Commissary Clerk of that court under and in terms of the Confirmation and Probate Act, 1858, or sealed with the seal of office of that court under and in terms of the Colonial Probates Act, 1892, or so certified or sealed under and in terms of any future statutory provisions to that effect, and the confirmation thereby implied shall operate in favour of the person or the persons or the survivors or survivor of them to whom such probate, letters of administration or other grant of representation were granted; and "executor" shall include such person or persons; and such implied confirmation shall be deemed to include all heritable securities which belonged to the deceased and from which executors are not excluded.

21 & 22 Vict. c. 56.

55 Vict. c. 6.

(3) (*a*) It shall be competent in any warrant, interlocutor or decree of court conferring a right to land or to a heritable security, or granting authority to complete a title thereto, and also in the application upon which such warrant, interlocutor or decree proceeds, to insert a deduction of title from the person last infeft or holding the last recorded title, and an extract of such warrant, interlocutor or decree shall be equivalent to a disposition of land or an assignation of a heritable security granted in terms of section three of this Act and on being recorded in the appropriate Register of Sasines shall have the same force and effect as such a disposition or assignation duly recorded in such register.

(*b*) Section twenty-four of the Titles to Land Consolidation (Scotland) Act, 1868, and section forty-four of the Conveyancing (Scotland) Act, 1874, are hereby amended in accordance with the provisions of this subsection, and the procedure prescribed in section forty-four of the said Act of 1874, as hereby amended, shall be competent irrespective of whether the trust title has or has not been duly completed and recorded, and shall be applicable to all judicial factors within the meaning of section three of the said Act of 1868, and both of such sections hereby amended shall apply to heritable securities, and such heritable security may be referred to in any warrant,

interlocutor or decree, or in any application upon which the same proceeds, in the manner prescribed in the forms relative thereto referred to in section four of this Act.

Notice of title equivalent to notarial instrument.

6.—(1) A notice of title expede in terms of this Act shall be equivalent to a notarial instrument expede according to the present law and practice, and the provisions of section one hundred and forty-six of the Titles to Land Consolidation (Scotland) Act, 1868, shall apply to such notice of title.

(2) The stamp duty chargeable on any such notice of title shall be the same as that chargeable in respect of any notarial instrument to be expede and recorded in any Register of Sasines.

Assignation of unrecorded disposition or bond and disposition in security.

7.—(1) When a disposition of land or a bond and disposition in security has not been recorded in the appropriate Register of Sasines, or otherwise followed by infeftment, the grantee of such deed, or any person in right thereof, may assign the same by an assignation in or as nearly as may be in the terms of Form No. 1 of Schedule C to this Act in the case of a disposition of land, or of Form No. 2 of that Schedule in the case of a bond and disposition in security, and such assignation, or the first of a series of such assignations, shall be endorsed in whole or in part on some part of the deed assigned, and each subsequent assignation shall be endorsed in whole or in part on the same sheet as that on which the immediately preceding assignation ends: Provided that in any such assignation it shall not be necessary to deduce the title of the granter of the same if he is the grantee of the deed assigned, or of the immediately preceding assignation, but if he is not the grantee thereof, he shall deduce his title from such grantee; and provided further that nothing in this subsection contained shall authorise any partial assignation in such form of a disposition or bond and disposition in security.

(2) The grantee of such disposition or bond and disposition in security, or the person in right thereof, may assign the same by a separate assignation in or as nearly as may be in the terms of the appropriate Form of the said Schedule C as modified by Note 2 to that Schedule, and if the granter of such assignation is not the grantee of the deed assigned, or of the assignation, or the last in date of a series of assignations, endorsed thereon in terms of subsection (1) of this section, he shall deduce his

title from such grantee, and such disposition or bond and disposition in security, and any separate assignation or assignations thereof other than the separate assignation last in date, shall be docqueted as provided for in the said Note 2 before being recorded along with such last-mentioned assignation in the appropriate Register of Sasines.

(3) An assignation granted in terms of this section shall, unless otherwise expressed, imply a destination in favour of the heirs or assignees of the grantee thereof if it relates to a disposition and a destination in favour of the executors or assignees of the grantee thereof if it relates to a bond and disposition in security.

(4) On such disposition or bond and disposition in security, together with such assignation or assignations thereof, being recorded in the appropriate Register of Sasines, the grantee of such assignation, or, in the event of there being more than one such assignation, the grantee of the assignation last in date, shall be in all respects in the same position as if his title were completed as at the date of such recording by notarial instrument in the appropriate form duly expede and recorded according to the present law and practice.

(5) An unrecorded disposition or an unrecorded bond and disposition in security with an assignation or series of assignations endorsed thereon in terms of this section shall, for the purposes of paragraphs (2) and (4) of section four of this Act, be equivalent to an unrecorded disposition or unrecorded bond and disposition in security granted in favour of the grantee of such assignation, or, in the event of there being more than one such assignation, the grantee of the assignation last in date, from whom the person expeding a notice of title in terms of paragraphs (2) and (4) of the said section four shall deduce his title, and in such notice of title such disposition or bond and disposition in security, and the assignation or assignations endorsed thereon, shall be referred to in the manner indicated in Note 5 to Schedule B to this Act.

Description by reference and short reference to deed bearing more than one date.

8.—(1) It shall be no objection to a description by reference to a particular description of land in accordance with section sixty-one of the Conveyancing (Scotland) Act, 1874, that the description referred to contains a description by reference of a larger piece of land of which the land particularly described forms part, and

Schedule O annexed to the said Act of 1874 is hereby repealed and Schedule D to this Act is substituted therefor: The provisions of this section shall be retrospective.

(2) From and after the commencement of this Act, where land in Scotland is held under and by virtue of a deed of entail registered in the Register of Sasines in which such land has been particularly described, it shall not be necessary in any proceedings for disentail of the whole or any part of such land, or in any instrument of disentail to be executed under the authority of the Court of Session, or in any instrument of disentail to which the authority of the Court of Session falls to be interponed in the course of such proceedings, to repeat the particular description of the land at length, but it shall be sufficient that such land shall be described by reference in the manner provided for by section sixty-one of the Conveyancing (Scotland) Act, 1874.

(3) In specifying any writ recorded in any Register of Sasines, it shall be competent for the better identification of such writ, to state the number of the volume or book of the register in which, and of the folio on which, the same has been recorded; but it shall be no objection to the specification of any writ that such volume or book and folio or either of them are not stated or are misstated, provided that such specification is sufficient for the identification of such writ.

(4) Where any deed, instrument, or writing bearing more than one date is specified or referred to in any other deed, instrument, or writing, it shall be no objection to such specification or reference that only the first date is given with the addition of the words "and subsequent date" (or "dates").

Amendment of law as to reference to conditions of title.

9.—(1) Notwithstanding any conditions or clauses affecting land, whether prohibitory, irritant, resolutive or otherwise, expressed in any deed, instrument, or writing relating to such land, whether dated before or after the commencement of this Act, it shall not be necessary in any deed, instrument, or writing by which any heritable security over such land is constituted, transmitted, or otherwise dealt with, to repeat or to refer to any such conditions or clauses: Provided that this subsection shall not apply to any disposition or other conveyance granted in virtue of any power of sale

contained in a heritable security (including any disposition granted by a creditor to himself pursuant to section eight of the Heritable Securities (Scotland) Act, 1894), nor to any decree by which a security right is or may be converted into a right of property, and where in any heritable security, whether dated before or after the commencement of this Act, such conditions or clauses have not been repeated or referred to, any decree pronounced in connection with such security pursuant to the Heritable Securities (Scotland) Act, 1894, and Schedule D to that Act, shall repeat or refer to such conditions or clauses, and the said Schedule D is hereby amended accordingly.

57 & 58 Vict. c. 44.

(2) It shall be no objection to any deed, instrument, or writing by which a heritable security was constituted, transmitted, or otherwise affected, although dated before the commencement of this Act, that the same neither contained nor referred to conditions or clauses affecting the security subjects, repetition of or reference to which was required by any deed or otherwise in accordance with the law as existing prior to the commencement of this Act.

(3) When any conditions or clauses affecting land have been duly referred to in the title thereto of the proprietor for the time duly recorded in the appropriate Register of Sasines, whether before or after the commencement of this Act, it shall not be competent to object to such title on the ground that in any prior deed. instrument, or writing applicable to such land such conditions or clauses were neither repeated nor referred to.

(4) In any case in which there has been or shall be an omission or failure in any deed, instrument, or writing applicable to land, and forming the title of the proprietor for the time, to repeat or refer to conditions or clauses affecting such land, it shall be competent for such proprietor to grant and to record in the appropriate Register of Sasines a deed of acknowledgment setting forth the omission or failure, and repeating or referring to the conditions or clauses, and thenceforth the deed, instrument, or writing as to which such omission or failure occurred shall be deemed to have duly contained or referred to such conditions or clauses. Such deed of acknowledgment may be in the form of Schedule E hereto, and may be founded on by all concerned,

although the warrant of registration thereon shall be on behalf of the granter only.

10.—(1) The forms of warrant of registration provided in Schedule F hereto and the notes to that Schedule shall be substituted for the forms of warrant of registration provided in Schedule F, No. 2, and Schedule H, Nos. 1 and 2, annexed to the Titles to Land Consolidation (Scotland) Act, 1868, and in Schedule A, No. 3, annexed to the Land Registers (Scotland) Act, 1868; and (except as after provided) it shall be sufficient to insert in the warrant of registration on any conveyance, deed, or writing, the name of the person on whose behalf it is to be recorded accompanied by the words "within named," or such other words as will identify such person, provided that when a conveyance, deed, or writing is to be recorded on behalf of any person not mentioned therein, the designation of such person shall be inserted in such warrant. Warrants of registration. 31 & 32 Vict. c. 64.

(2) It shall not be competent to challenge the validity of any warrant of registration on any conveyance, deed, or writing recorded before the commencement of this Act, on the ground that the person in whose favour such warrant is conceived is not designed therein, or that the nature of his right is not stated therein, if such warrant, on being read as forming part of such conveyance, deed, or writing, shall identify such person as a person therein named and designed.

(3) When any conveyance, deed, or writing, whether recorded before or after the commencement of this Act, is in favour of two or more persons, or of trustees ex officiis, and contains a destination to the survivors of such persons, or to the successors of such trustees, all the qualities of such destination shall be presumed to be imported into a warrant of registration in their favour written on such conveyance, deed, or writing, and it shall not be necessary that such destination be inserted therein.

(4) When an unrecorded disposition or unrecorded bond and disposition in security, or other unrecorded deed, decree or heritable security is to be recorded along with a separate assignation or separate assignations, or along with a notice of title, the same shall be so recorded in virtue of one warrant of registration in, or as nearly as may be in, the terms indicated in Note 5

to the said Schedule F to this Act, which shall be written on such separate assignation or on the last in date of such separate assignations or on such notice of title.

(5) Where any conveyance, deed, or writing, or an extract thereof, can be competently recorded in the General Register of Sasines for preservation and execution as well as for publication, and is so recorded, there shall be inserted in any extract to be issued of the same a warrant of execution in the short form provided for in the Schedule to the Writs Execution (Scotland) Act, 1877, and execution may competently follow upon such extract in manner provided in section three of that Act.

40 & 41 Vict c. 40.

(6) From and after the commencement of this Act it shall not be competent to give investiture ex propriis manibus.

(7) Section one hundred and forty-one of the Titles to Land Consolidation (Scotland) Act, 1868, and section twelve of the Land Registers (Scotland) Act, 1868, and sections six and seven of the Writs Execution (Scotland) Act, 1877, are hereby amended in accordance with the enactments of this section, and Schedule F, No. 2, and Schedule H annexed to the first-mentioned Act of 1868, and Schedule A, No. 3, and Schedule B annexed to the second-mentioned Act of 1868, are hereby repealed.

Consolidation of superiority and property.

11.—(1) Where a superior infeft has acquired the property or mid-superiority of land, or where the proprietor of the property or of the mid-superiority infeft therein has acquired the superiority, a minute in or as nearly as may be in the terms of Schedule G to this Act, written on the disposition whereby such property, mid-superiority, or superiority has been acquired, and recorded along with such disposition in the appropriate Register of Sasines, shall be held to consolidate the property, or the mid-superiority as the case may be, with the superiority, all to the same effect as a minute of consolidation executed in terms of section six of the Conveyancing (Scotland) Act, 1874, and duly recorded.

(2) Where a superior infeft has acquired the property or mid-superiority of land, and the disposition in his favour contains a clause of resignation ad perpetuam remanentiam, the recording of such disposition in the appropriate Register of Sasines, whether before or after the commencement of this Act, shall be deemed to have

had and shall have the effect of consolidating the property, or the mid-superiority as the case may be, with the superiority.

Abolition and commutation of grain, &c. feu-duties

12.—(1) In feus granted after the commencement of this Act, the feu-duty shall be payable in sterling money, and it shall not be lawful to stipulate for a feu-duty payable in grain or other fungible, or the amount of which falls to be ascertained by reference to the price or value of grain or other fungible, or otherwise than from the expression of the amount thereof in sterling money in the feu contract or feu charter.

(2) In the case of feus granted before the commencement of this Act, in which the feu-duty, or part thereof, is payable in grain or other fungible, or the amount of which falls to be ascertained by reference to the price or value of grain or other fungible, or otherwise than from the expression of the amount thereof in sterling money in the feu contract or feu charter, it shall be competent for the superior and the proprietor of the land burdened by such feu-duty to agree as to the amount in sterling money representing the amount of such feu-duty, and to enter into an agreement, in or as nearly as may be in the terms of Schedule G annexed to the Conveyancing (Scotland) Act, 1874, as the circumstances will admit, commuting such feu-duty into a specified annual amount of sterling money, and such agreement being duly recorded in the appropriate Register of Sasines shall be binding on the parties thereto, and their respective successors in title, and on heritable creditors and all other persons interested in the superiority and in the feu in all time thereafter.

(3) In the case of feus, such as are described in the immediately preceding subsection, the feu-duty payable from which shall not, before the thirty-first day of December, one thousand nine hundred and thirty-two, have been commuted into an annual feu-duty expressed in sterling money, the annual feu-duty thenceforth payable therefrom shall be a sum in sterling money representing the average annual value of the feu-duty actually paid, or payable, or delivered, or deliverable, for the ten years from the first day of January one thousand nine hundred and twenty-three to the thirty-first day of December one thousand nine hundred and

thirty-two inclusive. It shall thereafter be incumbent, on either the superior or the proprietor, on the demand of the other, to enter into an agreement in or as nearly as may be in the terms of the said Schedule G, specifying the commutation into sterling money of the feu-duty and to concur in recording the same in the appropriate Register of Sasines. Each party shall pay his own expenses of such agreement, and the amount of stamp duty and recording dues shall be paid equally. If either party shall fail when duly required to enter into such agreement, it shall be competent for either party to apply to the sheriff for a decree declaring the commuted value in sterling money of the feu-duty, and such decree, if and when pronounced, shall be recorded by the party obtaining such decree in the appropriate Register of Sasines. The expenses of such application and procedure thereon shall be in the discretion of the sheriff. Such agreement, or such decree, being duly recorded in the appropriate Register of Sasines, shall be binding on the parties thereto, and their respective successors in title, and on all persons interested in the superiority and in the feu in all time thereafter.

(4) In cases in which a feu-duty has been allocated by the superior or by an allocation binding on the superior, each part of the feu shall, for the purposes of this section, be regarded as a separate feu. In all other cases in which a feu has been divided, then, after the thirty-first day of December one thousand nine hundred and thirty-two, the proprietor of any part thereof may exercise, as regards the whole feu, the whole powers conferred by this section, and the proceedings shall be as binding and effectual as if exercised by the whole proprietors, and the costs thereby incurred, as far as payable by the proprietors of the feu, shall be borne by such proprietors in proportions corresponding to their ultimate liability for feu-duty.

(5) The provisions of this section, and any procedure following thereon, shall not affect any liability for feu-duty, or any obligation of relief as regards feu-duty, and such liability and such obligations shall remain in force and be applicable to the feu-duty as commuted.

(6) The provisions of this section applicable to the commutation of feu-duty payable in grain or other fungible, or the amount of which is ascertainable by

reference to the price or value of grain or other fungible, shall be applicable to dry multures as hereinafter defined, in like manner as if the person whose lands are subject to the payment of such dry multures were the feudal vassal in these lands holding of and immediately under the person entitled to exact such dry multures. For the purposes of this subsection, dry multures shall mean and include (*a*) compensation payable in respect of commutation pursuant to the Thirlage Act, 1799, and (*b*) all multures and other dues and payments of a similar nature which are exigible irrespective of services rendered, provided that in either case such compensation or multures or dues or payments are payable in grain or other fungible, or that the amount thereof is ascertainable by reference to the price or value of grain or other fungible. Provided also, that in all future proceedings under the last-mentioned Act the compensation shall be fixed in sterling money. 39 Geo. 3. c. 55.

(7) On the expiry of ten years from the commencement of this Act carriages and services such as are referred to in sections twenty and twenty-one of the Conveyancing (Scotland) Act, 1874, and which shall not have been commuted in terms of those sections, shall cease to be exigible.

(8) All heirs of entail, liferenters, corporations, trustees, judicial factors, tutors, curators and other guardians, heritable creditors in possession, and other persons who are in actual receipt of the income of any estate of property or of superiority are, notwithstanding any limitations in their titles, hereby authorised, without any further sanction, to exercise all the powers conferred by this section.

Allocation of feu-duty.

13. The allocation contained in a memorandum of allocation of feu-duty by a superior separate from the deed in favour of the proprietor, which is dated either before or after the commencement of this Act, shall, on the memorandum being recorded in the appropriate Register of Sasines, be binding on heritable creditors and all others having interest. Provided always that such allocation shall not prejudice or affect the rights of existing heritable creditors who are not parties thereto. Any such memorandum dated after the commencement of this Act may be in or as nearly as may be in the form of Schedule H hereto.

Abolition of real warrandice.

14.—(1) From and after the commencement of this Act, it shall not be competent to dispone lands in real warrandice of a conveyance of other lands, and such real warrandice shall not arise ex lege from any contract or agreement entered into after the commencement of this Act.

(2) On the expiry of twenty years from and after the commencement of this Act, all dispositions in real warrandice of a conveyance of other lands, and all such real warrandice arising ex lege from any contract or agreement, granted or entered into prior to the commencement of this Act, shall be no longer operative.

Transmission of personal obligation.

15.—(1) The personal obligation contained in any deed or writing whereby any heritable security is constituted shall not transmit in terms of section forty-seven of the Conveyancing (Scotland) Act, 1874, against any person taking the estate by conveyance in the sense of that section dated after the commencement of this Act, unless such conveyance be signed by such person.

(2) After the commencement of this Act, summary diligence, in terms of the said section, shall not be competent against any obligant whose obligation is created by succession, gift or bequest, unless in cases in which there shall be an agreement to the transmission of such obligation executed by such obligant.

(3) An agreement for transmission of a personal obligation pursuant to the said section may be in terms of Form No. 2 of Schedule A to this Act, or in any other form sufficiently expressing such agreement.

Prescription following on title and possession.

16.—(1) Any ex facie valid irredeemable title to an estate in land recorded in the appropriate Register of Sasines shall be sufficient foundation for prescription under the provisions of the Act of the Parliament of Scotland, 1617, cap. 12, " anent prescriptioun of heritable Rightis " and possession following on such recorded title for the space of twenty years continually and together and that peaceably without any lawful interruption made during the said space of twenty years, shall for all the purposes of the said Act of 1617 be equivalent to possession for the space of forty years by virtue of heritable infeftments for which Charters and Instruments of Sasine or other sufficient titles are

shown and produced according to the provisions of the said Act of 1617, and if such possession following on an ex facie valid irredeemable title so recorded shall have continued for the said space of twenty years, no deduction or allowance shall be made on account of the years of minority or less age of those against whom the prescription is used and objected or of any period during which any person against whom prescription is used and objected was under legal disability.

(2) The provisions of this section shall have no application to and shall not be construed so as to alter or affect the existing law relating to the character or period of possession, use or enjoyment necessary to constitute or prove the existence of any servitude or of any public right of way or other public right.

(3) The provisions of this section shall not be pleadable to any effect in any action in dependence at the commencement of this Act or in any action which shall be commenced prior to the day occurring on the expiry of five years from and after the commencement of this Act, which is hereafter in this and the immediately succeeding section referred to as "the appointed day."

(4) For the purposes of this section, possession for any space of time prior to the appointed day shall not have effect unless such space of time immediately preceded and was continuous up to such day.

(5) Section thirty-four of the Conveyancing (Scotland) Act, 1874, is hereby repealed as from and after the appointed day.

Prescription of obligations, &c.

17.—(1) The period of twenty years shall be substituted for the period of forty years in that portion of the Act of the Parliament of Scotland, 1617, cap. 12, which begins with the words "and sic like His Majesty with advise foresaid" and ends with the words "as said is" inclusive; and in reckoning the period of prescription under the said portion of the said Act of 1617, as amended by this section, no deduction or allowance shall be made on account of the years of minority or less age of those against whom the prescription is used and objected or of any period during which any person against whom the prescription is used and objected was under legal disability.

(2) The provisions of this section shall have no application to and shall not be construed so as to alter or affect the existing law relating to the period of disuse necessary to involve the extinction of any servitude or of any public right of way or other public right.

(3) The provisions of this section shall not be pleadable to any effect in any action in dependence at the commencement of this Act or in any action which shall be commenced prior to the appointed day, or with regard to any period of twenty years completed prior to the appointed day.

Notarial execution.

18.—(1) Any deed, instrument or writing, granted after the commencement of this Act, whether relating to land or not, may, after having been read over to the granter, be validly executed on behalf of such granter if he, from any cause, permanent or temporary, is blind or unable to write, by a law agent or notary public, or a justice of the peace, or, as regards wills or other testamentary writings, by a parish minister acting in his own parish, or his assistant and successor so acting, subscribing the same in the presence of the granter and by his authority, all before two witnesses who have heard such deed, instrument or writing read over to the granter and heard or seen such authority given, and a holograph docquet in the form of Schedule I hereto, or in any words to the like effect, shall precede the signature of such law agent or notary public or justice of the peace, or parish minister, or his assistant and successor.

(2) For the purposes of section thirty-nine of the Conveyancing (Scotland) Act, 1874, a deed executed on behalf of the granter or maker thereof in accordance with subsection (1) hereof shall be deemed to be a deed subscribed by such granter or maker.

Applicability of forms prescribed by Act.

19. The forms prescribed by this Act for the completion of the titles to and the conveyance, assignation, discharge or restriction of rights of property or fee in land or heritable securities shall respectively be applicable to all other rights in or over land or in or over a heritable security the title to which may according to the present law and practice be competently completed by the recording of such title in the appropriate Register of Sasines.

20. It shall be no objection to any deed or writing, whether relating to land or not, granted or concurred in by a married woman before or after the commencement of this Act, that the same has not been judicially ratified by her. Ratification by married woman.

21.—(1) Actions of serving to terce and kenning to terce are hereby abolished. Terce and courtesy.

(2) A widow claiming and desirous of establishing a right of terce out of estate which belonged to her deceased husband may raise an action of declarator in which she shall call as defenders the heir-at-law of her deceased husband, or the other persons interested in such estate whose rights therein may be affected by her claim, and shall specify the items of the estate out of which she claims terce, and shall crave the court to grant a decree declaring that she has a right of terce out of such estate; and on decree of declarator being pronounced in such action, such widow shall have the same rights and remedies for recovery of her terce out of such estate as she would have had on obtaining a decree of service to terce according to the present law and practice; and where any land out of which according to the present law and practice terce is payable, shall be in the personal occupancy of the proprietor thereof, the widow entitled to such terce shall in respect of such land have right to, and be entitled to recover from such proprietor, such sum as shall be equal to one-third part of the assessed annual value thereof appearing in the valuation roll for the time being of the county or burgh in which such land is situated: Provided always that on paying such terce to the widow such proprietor shall be entitled to make the same deductions therefrom as he would have been entitled to make if the land had been let at the assessed rent to a third party, and he had uplifted the rent and had accounted to the widow for her share.

(3) (*a*) A widow having a right of full or lesser terce out of land, or the proprietor of such land, or any person holding a security over such land postponed to such right of terce, shall be entitled to bring an action to have it declared by the Court what is the annual amount of such right of terce, and in such action the Court may make such enquiries as in the circumstances

shall seem necessary as to the average free rental of such land over such period of years as the Court may think proper, and as to the average annual charges and expenses forming deductions from that rental during that period affecting the widow's terce, and may take into consideration the prospective future annual amount of such rents, profits, charges, and expenses for the presumptive period of the widow's life, and shall fix and determine a sum which one year with another may be taken as the annual amount of the widow's terce out of such land, and on such amount being determined, the same from and after the date of the decree determining the same, or from and after any succeeding term of Whitsunday or Martinmas to be named by the Court, shall be deemed to be the widow's terce, and shall not be affected by any fluctuation of such rent or profits or of the charges or expenses forming deductions therefrom.

(*b*) On the amount of such right of terce being so fixed and determined, the proprietor of such land, or any person holding a security over such land postponed to the right of the widow, shall be entitled to redeem such right of terce, and may either in the action in which such amount is fixed and determined, or in a subsequent action, pray the Court to declare what is the capital sum to be paid by him in redemption thereof; and for the purpose of determining such redemption price, the Court shall find and declare the same to be the sum required to purchase from a British Insurance Company of good standing to be named by the Court, an annuity on the life of the widow equal in amount to the terce, and similarly payable, or a Post Office Savings Bank Annuity of the like amount, as the Court in its discretion may determine: Provided that where the land has been sold and the Court is satisfied that a fair price has been or is being paid therefor, and if it be the case that the redemption price of the full terce ascertained as aforesaid exceeds one-third of the price obtained for the land, the Court shall limit the redemption price of that terce to one-third of the price of the land.

(*c*) Any decree granted in terms of paragraph (*b*) of this subsection shall not prejudice the right of a widow entitled to lesser terce to the increase over the amount of such lesser terce which would accrue to her on the

death of the widow of a predecessor in title of her husband: Provided that the proprietor of the land out of which such terce is payable, or any person holding a security over such land postponed to the rights of the widows, shall be entitled to redeem the prospective right of a widow entitled to lesser terce, and may either in the action brought in terms of paragraph (*a*) of this subsection, or in a subsequent action, pray the Court to declare what is the capital sum to be paid by him in redemption thereof, and for the purpose of determining such redemption price the Court shall find and declare the same to be the sum required to purchase from a British Insurance Company of good standing to be named by the Court an annuity on the life of the widow entitled to the lesser terce equal in amount to any such increase and similarly payable, and payment of which is postponed until the death of the widow of such predecessor in title, or a Post Office Savings Bank Annuity of the like amount and similarly postponed, as the Court in its discretion may determine.

(*d*) The proprietor of any land subject to a widower's right of courtesy, or any person holding a security over such land postponed to the right of such widower, shall be entitled to redeem such right of courtesy, and for that purpose shall be entitled to bring an action to have it determined by the Court what is the annual amount of such right of courtesy and what capital sum is to be paid by him in redemption thereof, and in such action the Court may make such enquiries as in the circumstances shall seem necessary as to the average free rental of such land for such period of years as the Court may think proper, and as to the average annual charges and expenses forming deductions from that rental during that period affecting such right of courtesy, and may take into consideration the prospective future annual amount of such rents, profits, charges, and expenses, for the presumptive period of the widower's life, and shall fix and determine a sum which, one year with another, may be taken as the annual amount of such right of courtesy, and on such amount being determined shall find and declare the redemption price to be the sum required to purchase from a British Insurance Company of good standing to be named by the Court an annuity on the life of the widower equal in amount to the annual amount of his right of courtesy

and similarly payable, or a Post Office Savings Bank Annuity of the like amount, as the Court in its discretion may determine.

(*e*) On consignation in the hands of the Clerk of Court, on or before a date to be fixed by the Court, of the redemption price of any right of terce, present or prospective, ascertained in terms of paragraphs (*b*) and (*c*) of this subsection (limited if necessary as in paragraph (*b*) as regards the redemption price of the terce) or of any right of courtesy ascertained in terms of paragraph (*d*) of this subsection, the Court may declare the land to be free and disburdened of such right of terce or courtesy, as the case may be, and on such decree being pronounced the land shall thereafter be possessed, freed and disburdened of such right of terce or courtesy accordingly, and the widow shall, in respect of such right of terce, or the widower shall, in respect of such right of courtesy, cease to have any right or interest in such land or in the rents thereof, but shall have right to the consigned price: Provided always that such decree in the case of a widow shall not prejudice her claim to any arrears of terce due at the date thereof, or to a due proportion of terce for the period from the term or date when the last payment was due, or from the date of the death of her husband, as the case may be, to the date of such consignation, and in the case of a widower shall not prejudice his claim to any rents due to him at, or prior to, the date of such consignation.

(*f*) For the purposes of paragraphs (*a*), (*b*), (*c*) and (*d*) of this subsection, a person holding a security over such land shall mean a person who has entered into possession of such land in virtue of his security over the same, or a person who has given statutory notice to the proprietor of the land requiring payment of the debt for which he holds the land in security, which notice has expired without payment of the debt having been made.

(*g*) In any action raised in virtue of paragraphs (*a*), (*b*), (*c*) and (*d*) of this subsection the Court may find and declare that there are no free annual rents or profits of the land subject to any right of terce or courtesy, and may declare the land to be free and disburdened of such right of terce or courtesy as the case may be,

and on such decree being pronounced the land shall thereafter be possessed, freed and disburdened of such right of terce or courtesy accordingly.

(4) (*a*) The right to courtesy of any widower whose wife has died after the commencement of this Act, and the right to terce of any widow whose husband has died after the commencement of this Act, shall not be measured by the infeftment of such wife or husband, or depend on the completion of the title of such wife or husband by the recording thereof in the appropriate Register of Sasines, but the widower's right to courtesy shall extend to all estate to which his deceased wife had a personal title capable of being completed by infeftment, or by being recorded in the appropriate Register of Sasines (including heritable estate to which her title might be completed as aforesaid held in trust for her behoof), and out of which, if her title had been so completed, he would have had a right of courtesy; and the widow's right of terce shall extend to all estate to which her deceased husband had a personal title capable of being completed by infeftment or by being recorded in the appropriate Register of Sasines (including heritable estate to which his title might be completed as aforesaid held in trust for his behoof), and out of which, if his title had been so completed, she would have had a right of terce.

(*b*) No widower whose wife, and no widow whose husband, has died after the commencement of this Act shall be entitled, in the case of a widower, to courtesy, and in the case of a widow, to terce, out of land which has been absolutely disponed, or out of any security over land which has been absolutely assigned, in the case of a widower, by his wife, and in the case of a widow, by her husband, for an onerous consideration, although the title of the disponee or assignee shall not have been completed by infeftment or by recording of the same in the appropriate Register of Sasines prior to the death of such wife or husband; and the right of any such widower to courtesy, and of such widow to terce, out of any land disponed by such wife or husband in security, shall be postponed to the right of the creditor in whose favour such security shall have been granted, although the title of such creditor shall not have been completed by infeftment or by recording of

the same in the appropriate Register of Sasines prior to the death of such wife or husband.

(*c*) No widow whose husband has died after the commencement of this Act shall be entitled to claim terce in competition with a creditor of her deceased husband, and no widower whose wife has died after the commencement of this Act shall be entitled to claim courtesy in competition with a creditor of his deceased wife.

(5) For the purposes of this section, "widow" shall include a woman who has obtained a decree of divorce against her husband and "widower" shall include a man who has obtained a decree of divorce against his wife.

(6) The charges and expenses which are to form deductions from the rental in ascertaining terce or courtesy in terms of this section shall include any feu-duty, ground annual, teind, stipend, or land tax, interest on all heritable debts due by the deceased or affecting his or her heritable estate, interest on all moveable debts due by the deceased which his or her moveable estate is insufficient to meet, interest at such rate as the Court may think proper on any capital sums which have been applied by the heir or other representative of the deceased in the payment of any debts affecting or which but for such payment would have affected the heritable estate, or in redeeming casualties in terms of the Feudal Casualties (Scotland) Act, 1914, rates, taxes and assessments payable in respect of the deceased's heritable estate, and all other burdens on and payments falling to be made out of the rents and other income of the deceased's heritable estate, and in all cases where necessary such reasonable allowance as the Court in its discretion may fix for repairs, for insurance against loss by fire and other risks, and for factorage and management, and also for loss of rents through the land, or part of it, being unlet, or through defaulting tenants.

4 & 5 Geo. 5. c. 48.

(7) If in any action raised under the provisions of this section for determining terce or courtesy it shall appear that there is more than one subject out of which terce or courtesy is claimed, the Court, if a defender of such action shall so require, shall determine what is the amount of terce or courtesy payable out of each subject.

(8) Any action or proceedings under this section may be raised—

(*a*) in the Court of Session, or alternatively;

(*b*) where the land to which such action or proceedings relate is situated wholly within one county, or partly in one county and partly in a county or counties contiguous thereto, then in the sheriff court of the county in which the whole or the greater part of such land is situated.

(9) An extract of any decree pronounced in terms of this section may be recorded in the appropriate Register of Sasines.

Assimilation of law as regards legitim and jus relictæ, &c.

22.—(1) In the case of any person dying after the commencement of this Act, the rules of law which determine what estate belonging to a deceased is subject to claims for legitim shall be applicable in determining what estate belonging to the deceased is subject to the claim for jus relictæ or jus relicti: And the estates of all such persons shall be distributed on the footing that there shall no longer be any distinction between the description of estate subject to claims for legitim and the description of estate subject to claims for jus relictæ and jus relicti.

(2) All debts which if due to any person dying after the commencement of this Act would, according to the present law and practice or in terms of this section, be subject to legitim and jus relictæ or jus relicti shall, if due by the deceased or out of his or her estate, form, so far as the estate on which such debts are secured may be insufficient to meet the same, deductions from the deceased's moveable estate before ascertaining legitim and jus relictæ or jus relicti.

Ground-annuals.

23.—(1) Any ground-annual which appears in the appropriate Register of Sasines as a burden on the land out of which it is payable may be transferred in whole or in part by the creditor therein by an assignation in, or as nearly as may be in, the terms of Form No. 2 of Schedule K to this Act; and upon such assignation being recorded in the appropriate Register of Sasines it shall have the same force and effect as a duly recorded assignation or disposition and assignation in the

form generally in use at the passing of this Act. Such assignation shall, unless otherwise expressed, imply :—

(*a*) That the same is granted in favour of the assignee, heritably and irredeemably, with a destination to his heirs and assignees whomsoever :

(*b*) That the ground-annual and duplications or other casual payments, if any, or (if such duplications or casual payments have been commuted into an additional ground-annual) the additional ground-annual thereby assigned, are to be uplifted and taken by the assignee furth of and from the land specified in such assignation as being the land out of which the same are payable, or furth of any part or portion of such land, and readiest rents, maills and duties of the same, in terms of the contract of ground-annual or other deed or memorandum of agreement constituting such ground-annual and such duplications and other casual payments, or additional ground-annual, if any, and at such terms or dates or periods and with such interest and penalties in case of non-payment at the due dates as are provided for in such contract of ground-annual or other deed, or in such memorandum of agreement :

(*c*) That there are also assigned the deed constituting such ground-annual and the memorandum of agreement, if any, by which the commutation of grassums, duplications or other casual payments has been effected, and the whole clauses and obligations therein contained so far as the cedent in such assignation has right thereto and all diligence and execution competent to him thereon :

(*d*) That where the cedent can competently do so he dispones to the assignee the land out of which the ground-annual and the casual payments or additional ground-annuals, if any, are payable, with the parts and pertinents thereof, and his whole right, title and interest therein, but with and under any burdens and conditions affecting the same ranking prior to

his right, and that in real security to the assignee of such ground-annual and others, and of the whole other payments or prestations, conditions, obligations and others incumbent on the obligant for such ground-annual and others:

(*e*) That where the cedent can competently do so he assigns to the assignee the rents, maills and duties of the land out of which the ground-annual is payable, and also the writs thereof, and the writs constituting the title to such ground-annual, all to the full extent of his own right therein.

(2) Such ground-annual may be effectually renounced and discharged, and the land out of which the same is payable disburdened of the same, in whole or in part, by a discharge in, or as nearly as may be in the terms of Form No. 4 of Schedule K to this Act duly recorded in the appropriate Register of Sasines.

(3) Such ground-annual may be restricted as regards any portion of the land out of which the same is payable by a deed of restriction in, or as nearly as may be in, the terms of Form No. 7 of Schedule K to this Act, and on such deed of restriction being recorded in the appropriate Register of Sasines, such ground-annual shall be restricted accordingly to the land out of which the same is payable, other than the land disburdened by such deed of restriction, which land thereby disburdened shall be released from the burden of such ground-annual.

(4) The Heritable Securities (Scotland) Act, 1894, as modified by the Sheriff Courts (Scotland) Act, 1907, and Acts amending the same shall apply to actions of maills and duties for the recovery of a ground-annual in cases in which according to the present law and practice an action of maills and duties is competent. 7 Edw. 7. c. 51.

(5) In the event of any ground-annual falling into arrear for two years together, the creditor holding a duly recorded title thereto shall be entitled to raise an action of adjudication against the proprietor of the land out of which the same is payable, and any other persons interested therein whose rights are postponed to that of the creditor in such ground-annual, and in

such action the creditor may set forth that the ground-annual is in arrear for two years, and may crave the Court to adjudge and declare that such proprietor and other persons, if any, have by their failure to pay such arrears forfeited their rights in and to such land, and that such land, together with the rents, maills and duties thereof current and unpaid at the date of such action, do from that date belong to the pursuer absolutely, and the Court may, after service on the proprietor and on the other persons interested, if any, and after such intimation and procedure as the Court may think fit, grant such application and issue decree in the terms craved; and on such decree, which may be in or as nearly as may be in the terms of Form No. 8 of Schedule K to this Act, being pronounced, and an extract thereof in which the land shall be described at length or by reference, being recorded in the appropriate Register of Sasines, such land shall belong and pertain to the creditor in such ground-annual freed and disencumbered of all rights and burdens postponed to the ground-annual, and the right in and to such land of such proprietor and any other persons called as defenders to such action shall be extinguished.

(6) Any action raised in virtue of the immediately preceding subsection of this section may be raised in the Sheriff Court of the county in which the land out of which such ground-annual is payable or any part of such land is situated, or where the ground-annual is not less in amount than two pounds ten shillings per annum, in the Court of Session.

Registered leases. Assimilation of forms.

24. All enabling powers and rights which, by this Act, are conferred upon or implied in favour of a person in right of land or of a security over land, including power of sale and other rights under a bond and disposition in security, shall, so far as applicable, be held as conferred upon a person who has right to a lease, or to a security over a lease respectively; and the forms prescribed by this Act may be used in connection with the constitution, transmission, restriction and discharge of securities over leases, and the completion of titles to leases and to securities over the same, and to sales thereof under such securities, and such forms shall have the same force and effect as the corresponding forms prescribed by the Registration of Leases (Scotland)

20 & 21 Vict. c. 26.

Act, 1857, and the clauses held as implied in any of the forms prescribed by this Act shall, so far as applicable, be held as implied when such forms are used in connection with leases and securities over the same: Provided that in applying this Act and relative schedules to leases and securities over the same the following modifications and such other verbal modifications as may be necessary shall be given effect to :—

(1) For "lands," "lands and others" or "subjects" there shall be substituted "lease," for "conveyance" or "disposition" there shall be substituted "assignation" (except that in Form No. 1 of Schedule C to this Act the word "lease" shall be substituted for the word "disposition" where it is an unrecorded lease that is assigned), for "bond and disposition in security" there shall be substituted "bond and assignation in security," for "assignation of a bond and disposition in security" there shall be substituted "translation of a bond and assignation in security," for "dispone" or "convey" there shall be substituted "assign," for "proprietor" there shall be substituted "lessee," for "disponee" there shall be substituted "assignee," for "infeft" there shall be substituted "having a recorded title," for "superior" there shall be substituted "landlord," and for "feu-duty" there shall be substituted "rent due to the landlord":

(2) In an assignation of a lease, or in a bond and assignation in security of a lease, or in a notice of title relating to a lease, there may be substituted for a description of the land a reference to such lease in or as nearly as may be in the terms of Schedule J to this Act:

(3) In the event of the lease, to which a title is being completed by notice of title under this Act, not having been recorded in the appropriate Register of Sasines, it shall be recorded therein along with such notice of title in which the lease shall be referred to in manner prescribed in Note 5 to Schedule J to this Act, and such lease, before being so recorded, shall be docqueted in manner prescribed in Note 7 to Schedule B

to this Act, and, on the same being so recorded, it shall have the same force and effect as a recorded title under the Registration of Leases (Scotland) Act, 1857, and Acts amending the same:

(4) It shall not be necessary in a writ of acknowledgment in terms of Schedule E to the Registration of Leases (Scotland) Act, 1857, to mention or describe the land, provided that the lease is therein referred to in or as nearly as may be in the terms of Schedule J to this Act, and section seven of that Act and Schedule E to that Act annexed are hereby amended accordingly:

(5) A renunciation of a lease in terms of Schedule G to the Registration of Leases (Scotland) Act, 1857, may competently be granted by a person not holding a recorded title to such lease, provided that he shall therein deduce his title from the person holding the last recorded title in manner prescribed in Note 4 to Schedule J to this Act, and on such renunciation being recorded in the appropriate Register of Sasines such lease shall be as effectually renounced as if the title of the granter of such renunciation had been completed as at the date of such recording by notarial instrument in the appropriate form duly expede and recorded according to the present law and practice, and section thirteen of the said Act of 1857, and Schedule G annexed to that Act, are hereby amended accordingly:

(6) Section twenty-four of the Titles to Land Consolidation (Scotland) Act, 1868, and section forty-four of the Conveyancing (Scotland) Act, 1874, as amended by section five of this Act, shall apply to a lease and to a security over a lease, and in the warrant, interlocutor or decree of Court conferring a right to such lease or security over the same or granting authority to complete title thereto, and also in the application upon which such warrant, interlocutor or decree proceeds, such lease may be referred

to in or as nearly as may be in the terms of Schedule J hereto :

(7) An adjudger or purchaser of a lease, or an adjudger or assignee of a security over a lease, may complete his title thereto by recording in the appropriate Register of Sasines an extract of the decree of adjudication or of sale (as the case may be) or may use such extract decree as an assignation or one of a series of assignations of an unrecorded lease or of an unrecorded security over a lease, and section ten of the Registration of Leases (Scotland) Act, 1857, is hereby amended accordingly.

Form of bond and disposition in security.

25.—(1) The import of the after-mentioned clauses of the Form No. 1 of Schedule FF annexed to the Titles to Land Consolidation (Scotland) Act, 1868, occurring in any bond and disposition in security (whether granted before or after the commencement of this Act) shall from and after the commencement of this Act be as follows, videlicet :—

(*a*) The clause of assignation of rents shall be held to import an assignation to the creditor of the rents and other duties (including feu-duties and casualties in the case of a superiority and ground-annuals and grassums in the case of a ground-annual) payable after the date from which interest on the principal sum in the security commences to run, irrespective of whether the terms of payment of such rents and others are the legal or the conventional terms, and including therein a power to the creditor to insure all buildings against loss by fire, but only for such sum as may be necessary to cover the creditor's interest therein, and to recover from the debtor the premiums paid for that purpose, and also on default in payment of principal or interest, or on the notour bankruptcy of the proprietor of the land conveyed in security or on his granting a trust deed for behoof of his creditors, to enter into possession of such land and to uplift the rents and other duties thereof, and to insure against loss by breakage of glass and against claims by tenants

and third parties, and all such other incidental risks as a prudent proprietor would reasonably insure against, and to make all necessary renewals and repairs on the security subjects, including the roads, fences, ditches and drains, subject to accounting to the debtor for any balance of rents or other sums actually received beyond what is necessary for payment to such creditor of the principal and interest and penalty due to him, and of all expenses incurred by him in reference to such possession, including the expenses of factorage, management, insurance, renewals and repairs:

(*b*) The clause of assignation of writs shall be held to import an assignation to the creditor of writs and evidents, including searches, and all unrecorded and unfeudalised conveyances, with power to the creditor in the event of a sale under the powers of the bond, but subject to the rights of any person holding prior rights to possession of such writs and evidents, to deliver the same, so far as in the creditor's possession, to the purchaser, and to assign to the purchaser any right he may possess to have the writs and evidents made forthcoming:

(*c*) The clause reserving right of redemption shall be held to import a right to redeem the security, which may be exercised by the persons and in manner prescribed in this Act:

(*d*) The clause granting power of sale shall be held to import a right to the creditor in default of payment to exercise power of sale in the manner prescribed in this Act, and also power to the creditor, after there has been failure to comply with a demand for payment, and to the same extent as would have been competent to the debtor, to obtain an allocation of any feu-duty or ground-annual affecting the security subjects in such proportions and on such terms as to augmentation or otherwise as may be agreed upon between the superior or the holder of the ground-annual and the creditor, and the memorandum of such allocation of feu-duty may be endorsed on the deed or instrument or

notice of title forming the infeftment of the debtor, or may be a separate memorandum in or as nearly as may be in the terms of Schedule H to this Act, but such allocation of feu-duty or ground-annual shall be without prejudice to the rights of other persons liable therefor.

(2) Such bond and disposition in security shall also import that the debtor shall be personally liable to the creditor in the whole expenses of the preparation and execution thereof, and of recording the same, and all reasonable expenses incurred by the creditor in calling up the same and realising or attempting to realise the subjects of security, and exercising the other powers conferred upon him.

(3) Section one hundred and nineteen of the said Act of 1868 is hereby amended in accordance with this section.

Heritable creditors' remedies for recovery of feu-duties and ground-annuals.

26. Where the security subjects in a bond and disposition in security, whether granted before or after the commencement of this Act, consist of or include one or more superiorities or one or more ground-annuals, the creditor, provided his title to the debt and security be complete and the debtor be in default in payment of principal or interest, may raise an action against the superior or person in right of the ground-annual, concluding for declarator that he has right to the feu-duties and casualties or ground-annuals and grassums payable to such superior or person, and may give notice by registered letter signed by the creditor or his law agent of the raising of such action to the vassals or the proprietors of the land from which such ground-annuals are payable, and from and after the date when such notice is received by them they shall be interpelled from making payment of the feu-duties, including duplicands or other multiples thereof, and casualties or ground-annuals and grassums, or additional feu-duties or ground-annuals constituted in lieu of such duplicands or other multiples, casualties and grassums, to the superior or person in right of the ground-annuals, and any payment thereafter made by them to such superior or person shall be of no effect in a question with the creditor in the event of his obtaining decree; and upon intimation of the decree obtained in such action to the vassals or proprietors of the land by registered letter signed by the creditor or his law agent, they shall make payment to the creditor

of the feu-duties including duplicands or other multiples thereof and casualties or ground-annuals and grassums, and failing their doing so the creditor shall be entitled to recover the same in the same manner and subject to the same defences on the part of the vassals or proprietors of the land as if he were the superior or person in right of the ground-annuals duly infeft, and subject to accounting therefor to the superior or person in right of the ground-annuals, and payment to the creditor shall be a complete exoneration and discharge to such vassals or proprietors; and the action and the notice thereof and the intimation of the decree may be in or as nearly as may be in the forms, with the necessary modifications, authorised by section three of the Heritable Securities (Scotland) Act, 1894, and contained in Schedules A, B and C to that Act as modified by the Sheriff Courts (Scotland) Act, 1907, and Acts amending the same: Provided that such action may be combined with an action for recovery of maills and duties and that nothing in this section contained shall deprive the creditor of any existing remedy competent to him for recovering such feu-duties, duplicands, multiples and casualties or ground-annuals and grassums.

Restriction of agent's lien.

27. From and after the commencement of this Act it shall be incompetent for any law agent or notary public acting for the proprietor or creditors or others, whose rights in or over land conveyed in security are postponed to those of the creditor in such heritable security, to acquire over the writs and evidents as against such creditor any right of hypothec, lien or retention after the date of recording such heritable security.

Assignation of bond and disposition in security.

28. Any bond and disposition in security, whether dated before or after the commencement of this Act, duly recorded in the appropriate Register of Sasines, may be transferred, in whole or in part, by the creditor in right thereof by an assignation in or as nearly as may be in the terms of Form No. 1 of Schedule K to this Act, and upon such assignation being recorded in the appropriate Register of Sasines, it shall have the same force and effect as a duly recorded assignation granted in the form prescribed in section one hundred and twenty-four of the Titles to Land Consolidation (Scotland) Act, 1868. Such assignation shall, except so far as otherwise therein stated, be deemed to convey to the grantee all

rights competent to the granter to the writs, and to the effect inter alia of vesting the assignee in the full benefit of all corroborative or substitutional obligations for the debt or any part thereof, whether contained in bonds or clauses of corroboration or agreements in gremio of conveyances, or by operation of law or otherwise, and right to recover payment from the debtor of all expenses properly incurred by the creditor in connection with such security, and shall have the effect of entitling the grantee, or those deriving right from or through him, to the benefit of any notices which have been served calling up the security, and all procedure which may have followed thereon, to the effect that the grantee or those deriving right from or through him may proceed as if he or they had originally served or instituted the same.

Discharge of bond and disposition in security.

29. Any bond and disposition in security, whether dated before or after the commencement of this Act, duly recorded in the appropriate Register of Sasines, may be effectually renounced and discharged and the land therein effectually disburdened of the same, in whole or in part, by a discharge in or as nearly as may be in the terms of Form No. 3 of Schedule K to this Act, duly recorded in the appropriate Register of Sasines.

Restriction of bond and disposition in security.

30. The security constituted by any bond and disposition in security, whether dated before or after the commencement of this Act, duly recorded in the appropriate Register of Sasines, may be restricted as regards any portion of the land thereby conveyed by a deed of restriction in or as nearly as may be in the terms of Form No. 5 of Schedule K to this Act, and, upon such deed of restriction being recorded in the appropriate Register of Sasines, the security shall be restricted to the land therein contained other than the land disburdened by such deed, and the land thereby disburdened shall be released from such security wholly, or to the extent specified in such deed of restriction. A partial discharge and deed of restriction of a bond and disposition in security may be combined in one deed, which may be in or as nearly as may be in the terms of Form No. 6 of the said Schedule K.

Description of lands and deduction of

31. In assignations and discharges, whether total or partial, granted in accordance with the provisions of

title unnecessary in certain deeds relating to heritable securities.

sections twenty-eight and twenty-nine of this Act, a description of the land shall not be necessary, nor shall it be necessary to insert such a description in a writ of acknowledgment in terms of Schedule II to the Titles to Land Consolidation (Scotland) Act, 1868, provided that the bond and disposition in security to which it relates is therein referred to in manner prescribed in Schedule K to this Act, and section one hundred and twenty-five of the said Act of 1868 as amended and re-enacted by section sixty-three of the Conveyancing (Scotland) Act, 1874, and the said Schedule II are hereby amended accordingly; and in such assignations and discharges, and in deeds of restriction granted in accordance with section thirty of this Act, it shall not be necessary to deduce the title of the granter, nor in such writs of acknowledgment the title of the deceasing creditor, if such granter holds or such deceasing creditor held a recorded title and the date is given of the recording of the same in the appropriate Register of Sasines in manner prescribed in Note 2 to Schedule K to this Act.

Redemption of bond and disposition in security. Notice and procedure and evidence of service.

32.—(1) A debtor in a bond and disposition in security, whether dated before or after the commencement of this Act, or the proprietor of the land disponed in security or part thereof shall be entitled to redeem the security at the place and at the date of payment or at any term of Whitsunday or Martinmas thereafter, on giving three months' premonition to the creditor, which premonition may be in or as nearly as may be in the terms of Form No. 1 of Schedule L to this Act, and may be delivered to the creditor or sent by registered post to him at his last known address, and an acknowledgment signed by the creditor in or as nearly as may be in the terms of Form No. 2 of the said schedule, or a certificate in or as nearly as may be in the terms of Form No. 3 of the said schedule, accompanied (if the premonition has been posted) by the postal receipt, shall be sufficient evidence of such premonition, which, if posted, shall be held to have been given on the day next after the day of posting; and, if the address of the creditor is not known, or if the registered packet containing such premonition is returned to the debtor or proprietor, or his law agent, with intimation that the same could not be delivered, such premonition shall be sent to the Keeper of the Record of

Edictal Citations, General Register House, Edinburgh, and shall be equivalent to premonition to the creditor, and an acknowledgment of receipt by the Keeper of the Record of Edictal Citations on a copy of such premonition shall be sufficient evidence thereof; and, at the term of payment mentioned in such premonition, and on payment of the principal sum secured, interest due thereon, and all expenses incurred by the creditor, as provided in section twenty-five of this Act, the creditor shall be bound to grant in favour of the debtor or proprietor, a valid discharge of such security; and where, on account of the death or absence of the creditor or from any other cause, the debtor or proprietor cannot obtain a discharge, it shall be competent to him to consign the amount due, including interest and expenses, if any, in the bank specified in the bond, if any bank shall be so specified, and, if not, in one or other of the banks in Scotland, incorporated by or under Act of Parliament or Royal Charter, to be made forthcoming to the creditor or his representatives, and thereupon a certificate may be expede by any agent, in, or as nearly as may be in, the terms of Form No. 4 of Schedule L to this Act, and the recording thereof in the appropriate Register of Sasines shall have the effect of completely disencumbering the land of such security as at the date of such consignation to the extent of the amount so consigned. For the purposes of this section the creditor shall be the person appearing on the record as holding the last recorded title to the bond and disposition in security to be redeemed, or if such person be dead, the reputed substitute or person entitled to succeed thereto in terms of the bond or any recorded transmission thereof, notwithstanding any alteration of the succession not appearing on the Register of Sasines.

(2) The stamp duty chargeable on any such certificate granted by a law agent shall be the same as if it were granted by a notary public.

Notice calling up bond and disposition in security.

33. Without prejudice to his rights and remedies under the personal obligation the creditor in a bond and disposition in security, or any part thereof, whether dated before or after the commencement of this Act, may serve a notice calling up the same in or as nearly as may be in the terms of Form No. 1 of Schedule M to this Act. Such notice shall be given to the person

infeft in the land disponed in security and appearing on the record as the proprietor, or if the person last infeft in the land or any part thereof be dead, then to the reputed substitute or person entitled to succeed to the same in terms of the last recorded title thereto, notwithstanding any alteration of the succession not appearing on the Register of Sasines. If the last proprietor was an incorporated company which has been removed from the Register of Joint Stock Companies or a person deceased who has left no heirs or whose heirs are unknown, notice shall be given to the Lord Advocate. Where the estates of the debtor have been sequestrated under the Bankruptcy (Scotland) Act, 1913, or any Act thereby repealed, notice shall be given to the trustee in the sequestration (unless such trustee has been discharged) as well as to the bankrupt. If the proprietor be a body of trustees, it shall be sufficient if the notice is given to a majority of the trustees infeft in the land. There shall be no obligation on the creditor to give notice to any other person unless for the purpose of preserving recourse against such other person. Notice under this section shall cease to be effective for the purposes of a sale under the powers of a bond and disposition in security after a period of five years from the date of such notice if no exposure to sale of the land or any part thereof has followed thereon, or otherwise after five years from the date of the last exposure to sale of the land or part thereof following on such notice.

3 & 4 Geo. 5. c. 20.

Service of notice.

34. Notice under the immediately preceding section may be delivered to the person to whom it is desired to be given or sent by registered post to him at his last known address, or in the case of the Lord Advocate at the Crown Office, Edinburgh, and an acknowledgment signed by such person in or as nearly as may be in the terms of Form No. 2 of Schedule M to this Act, or a certificate in or as nearly as may be in the terms of Form No. 3 of that schedule, accompanied (if the notice has been posted) by the postal receipt, shall be sufficient evidence of the service of such notice, and if the address of the person to whom such notice is desired to be given is not known, or if the registered packet, containing such notice, is returned to the creditor or his law agent, with an intimation that the same could not be delivered, such notice shall be sent to the Keeper of the Record of

Edictal Citations, General Register House, Edinburgh, and shall be equivalent to notice to such person, and an acknowledgment of receipt by the Keeper of the Record of Edictal Citations, on a copy of such notice, shall be sufficient evidence thereof. Such notice shall be deemed to be formal requisition for all purposes, including the purposes of the Heritable Securities (Scotland) Act, 1894; and if posted shall be held to be given on the next day after the day of posting.

Power to dispense with or shorten induciæ.

35. It shall be competent to the person to whom such notice has been given, with the consent of the creditors, if any, holding securities ranking pari passu with or postponed to the security held by the creditor giving notice, to dispense with the whole or part of the period of notice by a minute written upon the said notice or upon a copy thereof, in or as nearly as may be in the terms of Form No. 2 of Schedule M to this Act.

Advertisement.

36. After the expiry of three months from the date of giving such notice, or the expiry of such shorter period as may have been agreed to under the immediately preceding section, the creditor, failing payment of the whole sums to which he is entitled, may advertise the land or any part thereof for sale by public roup.

Contents of advertisement.

37. Such advertisement shall specify shortly the land to be sold, and the day, hour, and place of sale, and the upset price or prices, and it shall not be necessary to state that the sale is proceeding under the powers contained in a bond and disposition in security.

Periods of advertisement and newspapers.

38.—(1) The period of advertisement shall not be less than four consecutive weeks when the upset price or the cumulo upset prices of the land do not exceed one thousand pounds, and, when such price or cumulo prices exceed that amount, such period shall not be less than six consecutive weeks, in each case prior to the date of exposure to sale.

(2) During the period of advertisement such advertisement shall be inserted at least once a week in a daily newspaper published in Edinburgh or in Glasgow, and in every case in a newspaper circulating in the district in which the land or the chief part thereof is situated and published either in the county in which

the land or part thereof lies, or in the next or a neighbouring county of Scotland: Provided that as regards land situated in the County of Midlothian due publication of the advertisement in one daily newspaper published in Edinburgh shall be sufficient, and that as regards land situated in the County of Lanark, due publication of the advertisement in one daily newspaper published in Glasgow shall be sufficient: Provided also that where the upset price, or the cumulo upset prices, of the land do not exceed one thousand pounds, it shall be sufficient if such advertisement be inserted at least twice a week in a newspaper circulating in the district in which the land or the chief part thereof is situated and published either in the county in which the land or part thereof lies or in the next or a neighbouring county of Scotland, or once a week in each of two such newspapers, or once a week in such newspaper and once a week in a Scottish daily newspaper circulating in the district, irrespective of the place of publication in Scotland of such daily newspaper.

(3) The date of exposure shall not be less than twenty-eight days if the upset price or the cumulo upset prices do not exceed one thousand pounds, and forty-two days if the upset price or the cumulo upset prices exceed one thousand pounds, both from the date of the first insertion of the advertisement.

(4) The same provisions as to advertisement and place and date of exposure shall apply in the event of re-exposure, except that the period of advertisement shall not be less than three consecutive weeks, and that the date of exposure shall be not less than twenty-one days from the date of the first insertion of the advertisement.

(5) A copy of any such advertisement with a certificate by the publisher, printer, or editor of the newspaper in which the same is inserted, shall be sufficient evidence of such advertisement.

(6) For the purposes of this section, a week shall mean a period of seven consecutive days.

Where exposure to sale to take place.

39. Any exposure to sale may take place in Edinburgh or Glasgow, or at any burgh within the meaning of the Town Councils (Scotland) Acts, 1900 to 1923, which is situated within the county in which the land, or the

chief part thereof, lies, or which is nearest to such land, or the chief part thereof, whether within the same county or not.

Exposure in lots and apportionment of feu-duty.

40. The land, or any part thereof, may be exposed to sale, in whole or in lots, at such upset price or prices, and subject to such proportion of any existing feu-duty, ground-annual, stipend, valued rent or land tax, as the creditor may think proper, and, without prejudice to the rights of any third party, the creditor may, in selling the land in lots, provide that the proprietor for the time being of any lot shall be obliged to relieve the proprietor or proprietors of another lot or lots of the whole or such part of an existing feu-duty and casualties, ground-annual, stipend or land tax, as the creditor may think proper, and for that purpose the creditor may create such obligation a real burden on such lot.

Purchasers protected.

41.—(1) All proceedings under sections thirty-two to forty, inclusive, of this Act shall be valid and effectual notwithstanding that any person to whom premonition or notice requires to be given in terms of this Act may be in pupillarity or minority or subject to any legal incapacity, and any sale and disposition in implement thereof shall be as valid to the purchaser as if made by the proprietor of the land not being under disability, and any such disposition shall import an assignation to the purchaser of the warrandice contained or implied in the bond and disposition in security under which the land is sold, and also an obligation by the granter of the security to ratify, approve and confirm the sale and disposition.

(2) Where a disposition bears to be granted in exercise of the power of sale contained in a bond and disposition in security the title of the purchaser shall not be challengeable in the case of a disposition recorded before the commencement of this Act, after the lapse of five years from the commencement of this Act, and in the case of a disposition recorded after the commencement of this Act, after the lapse of five years from the date of such recording, on the ground that the debt had ceased to exist unless that fact appeared on the Register of Sasines or was known to the purchaser prior to payment of the price, or on the ground of want or defect of notice or advertisement, or that such power

was otherwise improperly or irregularly exercised, but without prejudice to any claim of damages competent against the person exercising the power.

Mode of disburdening land sold under power of sale in heritable security.

42.—(1) Where land is sold by a heritable creditor under the powers competent to creditors in heritable securities, and no surplus of the price remains for consignation in terms of section one hundred and twenty-two of the Titles to Land Consolidation (Scotland) Act, 1868, or where such surplus remains and the same has been consigned in bank in terms of the said section one hundred and twenty-two, it shall be competent to any law agent or notary public to execute a certificate to the effect that no surplus remains where such is the case, or where such surplus remains and has been so consigned in bank, to the effect that such consignation has taken place, which certificate shall be in or as nearly as may be in the terms of Schedule N to this Act, and the disposition by the creditor to the purchaser shall, along with such certificate, when recorded in the appropriate Register of Sasines, have the effect of completely disencumbering the land sold of all securities and diligences posterior to the security of such creditor, as well as of the security and diligence of such creditor himself, save and except when the security and diligence of such creditor and any prior securities and diligences shall be assigned by way of further or collateral security to the purchaser.

(2) The stamp duty payable in respect of any certificate granted pursuant to this section, whether granted by a notary public or a law agent, shall be the same duty as is exigible in respect of a notarial certificate of no surplus.

Act to apply to all heritable securities.

43. The forms provided by this Act relative to bonds and dispositions in security or transactions incidental thereto, shall except as in this Act otherwise expressly provided apply, as nearly as may be, to all heritable securities, whether granted before or after the commencement of this Act, and deeds transmitting, discharging and restricting the same, and all notices of title completing a title thereto, except in so far as such provisions, enactments or forms may be inapplicable to the form or objects of such securities, and nothing in this Act contained shall prejudice or restrict the powers, rights, privileges and immunities of creditors in heritable

securities, or of those deriving right from them, according to the present law and practice.

General Register of Inhibitions and Register of Adjudications to be combined; limitation of effect of entries therein.

44.—(1) The General Register of Inhibitions and Interdictions and the Register of Adjudications shall be combined, and the Keeper thereof shall keep only one register for inhibitions, interdictions, adjudications, reductions, and notices of litigiosity, and such register shall be called the Register of Inhibitions and Adjudications; and a reference in any public, general or local Act to the General Register of Inhibitions or the Register of Adjudications shall be deemed to mean and include such Register of Inhibitions and Adjudications.

(2) (*a*) No action whether raised before or after the commencement of this Act relating to land or to a lease or to a heritable security, shall be deemed to have had or shall have the effect of making such land, lease or heritable security litigious, unless and until a notice relative to such action in or as nearly as may be in the form of Schedule RR annexed to the Titles to Land Consolidation (Scotland) Act, 1868, shall have been or shall be registered in the Register of Inhibitions and Adjudications in the manner provided by section one hundred and fifty-nine of that Act.

(*b*) No decree in any action of adjudication of land or of a lease or of a heritable security, whether pronounced before or after the commencement of this Act, and no abbreviate of any such decree shall be deemed to have had or to have any effect in making such land, lease or heritable security litigious.

(3) (*a*) All inhibitions and all notices of litigiosity registered in terms of section one hundred and fifty-nine of the Titles to Land Consolidation (Scotland) Act, 1868, subsisting at the commencement of this Act shall prescribe and be of no effect on the lapse of five years after such commencement or at such earlier date as they would prescribe according to the present law and practice; and all inhibitions and notices of litigiosity which relate to land or to a lease or to a heritable security and which shall be first registered after the commencement of this Act, shall prescribe and be of no effect on the lapse of five years from the date on which the same shall respectively take effect: Provided that in no case shall litigiosity be pleadable or be founded on to

any effect after the expiry of six months from and after final decree is pronounced in the action creating such litigiosity.

(*b*) From and after the commencement of this Act interdiction, whether judicial or voluntary, shall be incompetent, and any interdiction which is legally operative at such commencement shall remain legally operative for not longer than the period of five years thereafter.

(4) (*a*) The proviso contained in the first paragraph of section forty-four of the Bankruptcy (Scotland) Act, 1913, shall on the lapse of five years from and after the commencement of this Act apply to sequestrations awarded before the passing of that Act and still subsisting as well as to sequestrations awarded subsequent thereto, and as if the abbreviate of the petition and deliverance in any such sequestration awarded before the passing of that Act had been recorded at the date of the commencement of this Act.

(*b*) In the event of any land or lease or heritable security having been acquired by the bankrupt, or having descended or reverted, or come to him after the date of the sequestration, and before the bankrupt shall have obtained his discharge, and of such land or lease or heritable security having been declared to be vested in the trustee in terms of section one hundred and three of the Bankruptcy (Scotland) Act, 1856, or of section ninety-eight of the Bankruptcy (Scotland) Act, 1913, it shall be competent to the trustee, and he is hereby required within one month after such land or lease or heritable security shall have been declared to be vested in him, to record in the appropriate Register of Sasines with regard to such land or lease or heritable security, a memorandum in the form provided by the said section forty-four of the said Act of 1913, as amended by this Act, which memorandum being so recorded shall have the effect of a memorandum recorded in terms of the said section forty-four as amended as aforesaid: Provided always that all decrees obtained before the expiry of one year after the commencement of this Act, declaring any land or lease or heritable security to be vested in a trustee in bankruptcy shall, for the purposes of this section be deemed to have been dated within one month before the recording of such memorandum, if the

19 & 20 Vict. c. 79.

same shall have been recorded within one year after the commencement of this Act.

(*c*) No deed, decree, instrument or writing granted or expede by a person whose estates have been sequestrated under the Bankruptcy (Scotland) Act, 1856, or the Bankruptcy (Scotland) Act, 1913, or the heirs, executors, successors or assignees of such person relative to any land or lease or heritable security belonging to such person at the date of such sequestration or subsequently acquired by him shall be challengeable or denied effect on the ground of such sequestration if such deed, decree, instrument or writing shall have been granted or expede, or shall come into operation at a date when the effect of recording the abbreviate provided for under section forty-four of the said Act of 1913, as amended by this Act, shall have expired in terms of the said section as amended as aforesaid, unless the trustee in such sequestration shall before the recording of such deed, decree, instrument or writing in the appropriate Register of Sasines have completed his title to such land, lease or heritable security by recording the same in such register: Provided always, in the case of sequestrations awarded under the Bankruptcy (Scotland) Act, 1856, that the provisions of this section shall not apply to any deed, decree, instrument or writing dated within five years after the commencement of this Act.

(5) The provisions of this section shall not affect the ranking of adjudgers inter se, or any real right obtained in virtue of a decree of adjudication, or in virtue of a decree pronounced in an action creating litigiosity, or by a trustee in bankruptcy, if such right has been completed by the recording in the appropriate Register of Sasines of any deed, decree, abbreviate, or instrument necessary to effect the completion of such right.

(6) Section one hundred and fifty-nine of the Titles to Land Consolidation (Scotland) Act, 1868, and sections sixteen and seventeen of the Land Registers (Scotland) Act, 1868, and section forty-four of the Bankruptcy (Scotland) Act, 1913, are hereby amended in accordance with this section, and section forty-two of the Conveyancing (Scotland) Act, 1874, and Schedule J thereto annexed, are hereby repealed.

Provision for termination of perpetual trusts of moveables. 11 & 12 Geo. 5. c. 58.

45. In any case where the provisions of section nine of the Trusts (Scotland) Act, 1921, would apply to any deed, and to the right of any party thereunder if such deed had been dated after the thirty-first day of July, eighteen hundred and sixty-eight, the provisions of the said section shall, from and after the passing of this Act, apply to such deed and to the right of any party thereunder notwithstanding that the same be dated on or prior to the said thirty-first day of July, eighteen hundred and sixty-eight:

Provided that, in the application of the said provisions to the deeds to which this section refers and to the right of any party thereunder, the date of such deeds shall be deemed to be the date of the passing of this Act.

Extract decree of reduction to be recorded.

46. In the case of the reduction of a deed, decree or instrument recorded in the Register of Sasines or forming a midcouple or link of title in a title recorded in the said register there shall be recorded in the said register either an extract of the decree of reduction of such deed, decree or instrument, or a title in which such extract decree forms a midcouple or link of title, and such decree of reduction shall not be pleadable against a third party who shall in bonâ fide onerously acquire right to the land, lease or heritable security contained in the deed, decree, or instrument reduced by such decree of reduction prior to an extract of such decree of reduction, or a title, in which it forms a midcouple or link of title, being recorded in the Register of Sasines.

Re-recording of deeds relative to leasehold subjects.

47. Where in terms of the Registration of Leases (Scotland) Act, 1857, or of section twenty-four of this Act, any deed or extract shall have been recorded in the appropriate Register of Sasines, and where in terms of that Act or of the said section any such deed or extract shall fall to be recorded again, or where any extract from a competent register of any deed the principal of which has already been recorded in the appropriate Register of Sasines falls to be so recorded, it shall not be necessary for the keeper of the Register of Sasines in which such deed or extract falls to be recorded, or in which such extract of any recorded deed falls to be recorded, to engross such deed or extract in the register at length, but the keeper of such Register of Sasines may in place of such engrossment enter in

the register a short memorandum specifying the deed or extract and the book and folio in which the same is already engrossed, and in the case of an extract of a deed the principal of which has already been recorded in the appropriate Register of Sasines the book and folio in which the principal is already engrossed, and such memorandum shall have the same effect as if the deed or extract were engrossed in the register at length in place of such memorandum.

Duplicate plans may be retained with Register.

48. Where any writ which refers to a plan signed as relative thereto is presented or transmitted by post for registration in the General Register of Sasines it shall be competent to ingive to the said register along therewith a duplicate of such plan, docqueted with reference to the said writ and authenticated in the same manner as the principal plan, and such duplicate plan shall be retained in the said register. The ingiving of such duplicate plan shall be noted in the register, and acknowledgment of the receipt thereof shall be marked by the keeper of the register on the plan signed as relative to the writ.

Along with each register volume transmitted to the Keeper of the Records for custody there shall be sent the duplicate plans, if any, relative to any of the writs engrossed in such volume.

Such duplicate plans when transmitted to the Keeper of the Records shall remain in his custody, subject to the same rights on the part of the public to have access thereto as apply to the Record Volumes.

Saving clause.

49.—(1) Nothing in this Act contained shall affect any action now in dependence or that shall be instituted before the commencement of this Act, or shall prevent the constitution, transmission, completion, or extinction of land rights or securities affecting land in the forms which were in use for these purposes prior to the passing of this Act, except in so far as such prior forms are hereby expressly repealed.

(2) Nothing in this Act contained shall affect the preparation of the printed minutes and printed indexes of persons and places applicable to each county in Scotland, and the Keeper of the General Register of Sasines shall supply as full information in the printed minute books as hitherto according to the existing law and practice.

SCHEDULES.

SCHEDULE A.

FORM NO. 1.

CLAUSE OF DEDUCTION OF TITLE IN A DISPOSITION OF LAND WHERE THE GRANTER IS NOT INFEFT.

Section 3.

[To be inserted immediately after the clause specifying the date or term of entry or after the dispositive clause where no date or term of entry is specified.]

Which lands and others (*or* subjects) were last vested [*or* are part of the lands and others (*or* subjects) last vested] in *A.B.*, (*designation of person last infeft*), whose title thereto is recorded in (*specify Register of Sasines and date of recording, or if the last infeftment has already been mentioned say* in the said *A.B.* as aforesaid), and from whom I acquired right by (*here specify shortly the writ or series of writs by which right was so acquired*).

NOTE TO FORM NO. 1 OF SCHEDULE A.

If any conditions, reservations, provisions, obligations, servitudes or other burdens which affect the land or any part thereof or qualify the granter's right thereto be contained in or imposed by the writ or any of the writs by which the granter acquired right and are proper to be inserted, insert the same at length in the dispositive clause, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amounts thereof and the name and designation or designative description of the creditor therein, all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others.

FORM NO. 2.

CLAUSE TRANSMITTING PERSONAL OBLIGATION IN A HERITABLE SECURITY IN A DISPOSITION OF LAND.

Section 15.

I, *A.B.* (*designation*), in consideration of (*specify any part of price paid in money*) and in consideration also of *C.D.* (*designation*) undertaking as by his signature hereto he undertakes the personal obligation contained in a bond and disposition in security for the sum of (*insert amount*) granted by me [*or* by *E.F.* (*original debtor*)] in favour of *G.H.* (*original creditor*), dated (*insert date*), and recorded in (*specify Register of Sasines and date of recording*) do hereby dispone, &c.

SCHEDULE B.

Notice of Title.

Form No. 1.

On behalf of a Person who has Right to Land by a Title which has not been recorded in the appropriate Register of Sasines and which is not to be recorded along with the Notice of Title.

Be it known that *A.B.* (*designation*) has right as proprietor (*or* life-renter *or* proprietor in trust *or otherwise, as the case may be*) to all and whole [*here describe the land or refer to description thereof as in Schedule D. to this Act or as in Schedule G. to the Titles to Land Consolidation (Scotland) Act*, 1868; *and if there are any conditions, reservations, provisions, obligations, servitudes, or other burdens which affect the land or any part thereof and have entered the record and are proper to be inserted or referred to, here insert the same at length or refer thereto as in Schedule H. to the Conveyancing (Scotland) Act*, 1874, *and if any such conditions and others which affect the land or any part thereof or qualify A.B.'s right thereto be contained in or imposed by the writ or any of the writs by which A.B. acquired right and are proper to be inserted, here insert the same at length, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amount thereof and the name and designation or designative description of the creditor therein all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others*]; Which lands and others (*or* subjects) were last vested [*or* are part of the lands and others (*or* subjects) last vested] in *C.D.* (*design person last infeft*), whose title thereto was recorded in (*specify Register of Sasines and date of recording, or if the last infeftment has already been mentioned say* in the said *C.D.* as aforesaid), and from whom the said *A.B.* acquired right by (*here specify shortly the writ or series of writs by which he acquired right*); Which last recorded title and subsequent writ (*or* writs) have been presented to me, *Y.Z.* (*designation*), Notary Public, (*or* Law Agent). Section 4 (1).

[To be attested.]

Y.Z.

Form No. 2.

On behalf of a Person who has Right to Land conveyed by an Unrecorded Special Conveyance which is to be recorded along with the Notice of Title.

Be it known that *A.B.* (*designation*) has right as proprietor (*or* life-renter *or* proprietor in trust *or otherwise, as the case may be*) to all and whole the lands and others (*or* subjects) disponed by (*or* Section 4 (2).

contained in) the disposition (*or feu charter or other special conveyance*) granted by *C.D.* (*designation*) in favour of *E.F.* (*designation*) dated (*insert date*), and recorded in (*specify Register of Sasines*) of even date herewith [*if any conditions, reservations, provisions, obligations, servitudes or other burdens affecting the land or any part thereof or qualifying A.B.'s right thereto be contained in or imposed by the writ or any of the writs by which A.B. acquired right other than such special conveyance and are proper to be inserted, here insert the same at length, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amount thereof and the name and designation or designative description of the creditor therein, all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others*]; To which lands and others (*or* subjects) the said *A.B.* acquired right by the foresaid disposition (*or as the case may be*) and by (*here specify shortly the subsequent writ or series of writs by which he acquired right*); Which disposition and subsequent writ (*or* writs) have been presented to me (*as in Form No.* 1 *of this Schedule*).

[To be attested.]

FORM No. 3.

ON BEHALF OF A PERSON WHO HAS RIGHT TO A RECORDED HERITABLE SECURITY BY A TITLE WHICH HAS NOT BEEN RECORDED IN THE APPROPRIATE REGISTER OF SASINES AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Section 4 (3). Be it known that *A.B.* (*designation*) has right (*adding if such be the case* to the extent aftermentioned) to a bond and disposition in security (*or as the case may be*) for the sum of (*insert amount*) granted by *C.D.* (*design original debtor*) in favour of *E.F.* (*design original creditor*), dated (*insert date*) and recorded in [*specify Register of Sasines and date of recording; adding, if necessary,* but only to the extent of (*insert sum*) of principal]; Which bond and disposition in security was last vested in the said *E.F.* as aforesaid [*or if E.F. is not the person last infeft therein, or holding the last recorded title thereto, say* Which bond and disposition in security (*adding, if necessary,* to the extent foresaid *or as the case may be*) was last vested in *G.H.* (*design person holding the last recorded title thereto*), whose title thereto was recorded in said Register of Sasines (*or as the case may be, and give date of recording*)], and from whom the said *A.B.* acquired right (*adding, if necessary,* to the extent foresaid, *or as the case may be*), by (*here specify shortly the writ or series of writs by which he acquired right*); Which last recorded title and subsequent writ (*or* writs) have been presented to me (*as in Form No.* 1 *of this Schedule*).

[To be attested.]

FORM No. 4.

ON BEHALF OF A PERSON WHO HAS RIGHT TO A GROUND ANNUAL WHICH HAS APPEARED IN THE APPROPRIATE REGISTER OF SASINES BY A TITLE WHICH HAS NOT BEEN RECORDED THEREIN, AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that *A.B.* (*designation*) has right (*adding if such be the case* to the extent aftermentioned) to the ground annual of (*insert amount*) exigible yearly at (*state term or date of payment*) in each year [*or* in equal portions half-yearly at (*state terms or dates of payment*) in each year *or otherwise as the case may be; and if there be any duplications or other casual payments add*, with duplication every nineteenth year, *or otherwise as the case may be*, from and after (*state the term or date from which the current duplication or other casual payment is running*)] constituted by a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto or of the granter and grantee*) recorded in [*specify Register of Sasines and date of recording; and if any duplications or other casual payments have been redeemed and commuted into an additional annual payment say* and also to the additional ground annual of (*insert sum*) exigible at the same term (*or* date) in each year (*or as the case may be*) in lieu and commutation of casual payments; *adding if necessary* but only to the extent of (*insert sum or respective sums*)] payable out of All and Whole (*here describe the land or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation (Scotland) Act*, 1868); Which ground annual was (*or* which ground annual and others were) last vested (*adding if necessary* to the extent foresaid *or as the case may be*) in *C.D.* (*design person having the only or last recorded title*), whose title thereto was recorded in (*specify Register of Sasines and date of recording; or if the only or last recorded title has already been mentioned say* in the said *C.D.* as aforesaid), and from whom the said *A.B.* acquired right (*adding if necessary* to the extent foresaid *or as the case may be*) by (*here specify shortly the writ or series of writs by which he acquired right*); Which last recorded title and subsequent writ (*or* writs) have been presented to me (*as in Form No. 1 of this Schedule*). Section 4 (3).

[To be attested.]

FORM No. 5.

ON BEHALF OF A PERSON WHO HAS RIGHT TO AN UNRECORDED HERITABLE SECURITY WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that *A.B.* (*designation*) has right (*adding if such be the case* to the extent aftermentioned) to a bond and disposition in security (*or as the case may be*) for the sum of (*insert amount*) Section 4 (4).

granted by *C.D.* (*designation*) in favour of *E.F.* (*designation*) dated (*insert date*), and recorded in (*specify Register of Sasines*) of even date herewith [*adding if necessary* but only to the extent of (*insert sum*) of principal]; To which bond and disposition in security (*adding if necessary* to the extent foresaid *or as the case may be*) the said *A.B.* acquired right by (*here specify shortly the writ or series of writs by which he acquired right*); Which bond and disposition in Security (*or as the case may be*) and subsequent writ (*or* writs) have been presented to me (*as in Form No.* 1 *of this Schedule*).

[To be attested.]

FORM NO. 6.

ON BEHALF OF A PERSON WHO HAS RIGHT TO A GROUND ANNUAL CONSTITUTED BY A DEED THE RECORDING OF WHICH IN THE APPROPRIATE REGISTER OF SASINES ON BEHALF OF THE ORIGINAL CREDITOR WOULD HAVE INFEFT HIM THEREIN AND IN THE LANDS OUT OF WHICH IT IS PAYABLE, OR EITHER, BUT WHICH HAS NOT BEEN SO RECORDED, AND WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Section 4 (4). Be it known that *A.B.* (*designation*) has right (*adding if such be the case* to the extent aftermentioned) to a ground annual of (*insert amount, and if there be any duplications or other casual payments add* with duplication every nineteenth year, *or as the case may be*) payable under a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto or of the granter and grantee*) dated (*insert date*), and recorded in (*specify Register of Sasines*) of even date herewith, [*adding, if necessary,* but only to the extent of (*insert sum or respective sums*)]; To which ground annual (*adding, if necessary,* to the extent foresaid *or as the case may be*) the said *A.B.* acquired right by the foresaid contract of ground annual (*or as the case may be*) and by (*here specify shortly the writ or series of writs by which he acquired right*); Which contract of ground annual (*or as the case may be*) and subsequent writ (*or* writs) have been presented to me (*as in Form No.* 1 *of this Schedule*).

[To be attested.]

NOTES TO SCHEDULE B.

Sections 4(2); (4), 24 (3). NOTE 1.—Where the description in the last infeftment is a particular description, the description in Form No. 1 of this Schedule should be by reference thereto, unless there is reason to the contrary.

NOTE 2.—In adapting Form No. 2 of this Schedule to the case of a person who has right to only a part of the land contained in an unrecorded conveyance, deed, or decree there shall be inserted immediately before the words "all and whole" a

description of such part of the land, and the form may then proceed *which lands and others* (or *subjects*) *are part of.*

Note 3.—If the original infeftment upon a bond and disposition in security or other heritable security including a ground annual has been taken otherwise than by recording the same in the appropriate Register of Sasines add immediately after the mention of the date thereof *and instrument of sasine* (or *notarial instrument*, or if such be the case *and along with notice of title*) *thereon* (adding if such instrument or notice is not in favour of the original creditor the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

Note 4.—In adapting Forms Nos. 3 and 5 of this Schedule to real burdens for capital sums, there shall be substituted for the specification of the bond and disposition in security the following : *A real burden for the sum of* (insert amount) *payable to E.F.* (designation) *in terms of* (specify the disposition or other deed under which the real burden was reserved or constituted, giving the names and designations of the granter and grantee, or of the parties thereto), *dated* (insert date) *and recorded in* (specify Register of Sasines and date of recording); and in specifying the writs by which *A.B.* acquired right to such real burden there shall in Form No. 5 be mentioned as the first of such writs *the said disposition* (or other deed as above), and the same shall along with the other writ or writs be presented to the Agent expeding the notice of title.

Note 5.—In adapting Forms 2 and 5 of this Schedule to the case where the notice of title proceeds upon an unrecorded disposition, or an unrecorded bond and disposition in security, with an assignation or a series of assignations endorsed thereon in terms of section 7 of this Act, the same may be referred to in such notice of title as follows :—*a disposition* [or *a bond and disposition in security for the sum of* (insert amount)] *granted by C.D.* (designation) *in favour of E.F.* (designation) *dated* (insert date) *and along with an assignation endorsed thereon* (or *a series of assignations endorsed thereon the last of which is*) *in favour of G.H.* (designation) *recorded in* (specify Register of Sasines) *of even date herewith.* In the clause specifying the writ or writs by which right was acquired by the person on whose behalf the notice of title is expede, the endorsed assignation or assignations need not be detailed, but may be referred to as *the said assignation* (or *assignations*) *endorsed thereon.*

Note 6.—Where in place of the principal titles or writs on which any notice of title bears to proceed there are presented to the agent expeding such notice extracts or office copies thereof, the statement in the notice as to the presentation of such titles or writs may be varied accordingly ; but it shall be no objection to any notice of title that it states that the principal titles or

writs were so presented although there were presented only extracts or office copies of such titles or writs.

NOTE 7.—Where a deed, decree or heritable security is to be recorded along with a notice of title it should be docqueted as follows:—*Docqueted with reference to notice of title in favour of* A.B. *recorded of even date herewith.*

Y.Z. (*designation*),
Agent.

SCHEDULE C.

FORM NO. 1.

ASSIGNATION OF AN UNRECORDED DISPOSITION.

Sections 7, 24.

I, *A.B.*, (*designation*) in consideration of the sum of (*insert sum*) paid to me by *C.D.* (*designation*) assign to the said *C.D.* the foregoing Disposition; With entry at (*specify term or date of entry*); And I grant warrandice.

[To be attested.]

FORM NO. 2.

ASSIGNATION OF AN UNRECORDED BOND AND DISPOSITION IN SECURITY.

Section 7.

I, *A.B.*, (*designation*) in consideration of the sum of (*insert sum*) paid to me by *C.D.* (*designation*) assign to the said *C.D.* the foregoing Bond and Disposition in Security; With interest from (*specify date*).

[To be attested.]

NOTES TO SCHEDULE C.

NOTE 1.—If an assignation in terms of Forms Nos. 1 or 2 of this Schedule is not granted by the grantee of the deed thereby assigned, or by the grantee of the immediately preceding assignation endorsed thereon, add *To which disposition* (or *bond and disposition in security*) *I acquired right by* (here specify the writ or series of writs by which the granter acquired right from such grantee).

NOTE 2.—In adapting the above Forms to the case where an assignation is not endorsed on the deed assigned, substitute for the words *the foregoing disposition* (or *the foregoing bond and disposition in security*) the words *a disposition* [or *a bond and disposition in security for the sum of* (insert amount)] *granted by E.F.* (designation) *in my favour dated* (insert date) [or *in favour of*

G.H. (designation) *dated* (insert date) *along with assignation endorsed thereon* (or *a series of assignations endorsed thereon the last of which is*) *in my favour*; or *along with assignation endorsed thereon* (or *a series of assignations endorsed thereon the last of which is*) *in favour of J.K.* (designation) *from whom I acquired right by* (here specify the writ or series of writs by which the right was acquired)]. If recorded along with such separate assignation such disposition (or bond and disposition in security) and any separate assignation or assignations thereof other than the assignation last in date shall be docqueted as follows :

Docqueted with reference to Assignation in favour of C.D. recorded of even date herewith.

Y.Z. (*designation*),
Agent.

SCHEDULE D.

CLAUSE OF REFERENCE TO A DESCRIPTION OF LAND CONTAINED IN A PRIOR CONVEYANCE, DEED, OR INSTRUMENT.

All and whole the lands and others (*or* subjects) in the county of (*or* in the burgh of and county of *as the case may be*) described in (*refer to the conveyance, deed, or instrument in such terms as shall be sufficient to identify it, and specify the Register of Sasines in which it is recorded and date of recording, or where the conveyance, deed, or instrument referred to is recorded on the same date as the conveyance, deed, or instrument containing the reference substitute for the date of recording the words* of even date with the recording of these presents) :— Section 8.

NOTES TO SCHEDULE D.

NOTE 1.—In referring to a Deed containing a particular description it shall be sufficient to give the names of the granter and grantee or of the parties thereto without adding their designations, and when there are several granters or grantees or several parties acting in the same category it shall be sufficient to give the name of the first mentioned person only with the addition of the words *and others*; and where the granter or granters or grantee or grantees, or the parties or one of the parties thereto acts or act in a fiduciary capacity it shall be sufficient to state such capacity without giving their individual name or names, *e.g.* :

(*a*) *Feu Charter granted by A.B. in favour of C.D., dated* (insert date) *and recorded in* (specify Register of Sasines and give date of recording).

(*b*) *Disposition granted by C.D. and others in favour of E.F. and others, dated, &c.* (as above).

(*c*) *Notarial Instrument* (or *Notice of title*) *in favour of the Trustee* (or *Trustees*) *of G.H.* (or *the Judicial Factor of J.K. or the Trustee on the Sequestrated Estates of L.M. or the Liquidator of the N.O. Company, Limited, or* as the case may be) *recorded in* (specify Register of Sasines and date of recording).

NOTE 2.—Where it is desired to insert a short description of the land or subjects, this may be done as follows :—*All and whole that dwelling-house, number ten, Rosebery Crescent, Edinburgh,* (or *the eastmost half-flat on the second storey of the tenement entering from number fifteen, Lothian Street, Edinburgh,* or otherwise, as the case may be) *in the county of Edinburgh, described in,* &c. (as above).

NOTE 3.—If part only of the land or subjects described in a former recorded conveyance, deed, instrument, or notice of title is being conveyed or otherwise dealt with for the first time as a separate subject, such part should be described at length, adding *being part of the lands and others* (or *subjects*) *in the county of* or *in the burgh of and county of described in,* &c. (as above); or thus : *All and Whole the lands and others* (or *subjects*) *in the county of* or *in the burgh of and county of described in,* &c. (as above), *with the exception of* (describe the part excepted).

NOTE 4.—If several lands or subjects are described in the conveyance, deed, or instrument referred to, and it is intended to specify one or more of them, these may be distinguished from the others thus : *All and Whole the lands and others* (or *subjects*) *first* (or *second and third*) *described in,* &c. (as above, or otherwise, as the case may be).

SCHEDULE E.

DEED OF ACKNOWLEDGMENT OF OMITTED CONDITIONS.

Section 9.

I, *A.B.* (*designation*), hereby acknowledge that in my title to the lands after referred to, namely (*specify it*), there was an omission or failure to repeat or refer to the following conditions (*or* clauses; *repeat or refer to them*), and which conditions (*or* clauses) affect the lands in the county of (*or* in the burgh of and county of), described at length (*or* by reference) in the said (*specify the title or writing*); And the said conditions (or clauses) are accordingly now referred to in terms of the Conveyancing (Scotland) Act, 1924.

[To be attested.]

SCHEDULE F.

Warrants of Registration.

Register on behalf of the within named A.B. [*or* on behalf of A.B. (*designation*)] in the Register of the County of G. [(or in the Registers of the Counties of G.H. and J); *or* in the Register of the Burgh of K.; *or* in the Registers of the Burghs of K.L. and M.; *or* in the Registers of the County of G. (*or* the Counties of G.H. and J.) and the Burgh of K. (*or* the Burghs of K.L. and M.)]. Section 10.

A.B.
or C.D., W.S. Edinburgh, agent.
or E. & F., W.S. Edinburgh, agents.
(*or as the case may be*).

Notes to Schedule F.

Note 1.—In the case of a Warrant of Registration written on a deed which is to be recorded in the Register of Sasines in terms of a clause of direction, add after the first word "Register" the words *in terms of the clause of direction herein contained.*

Note 2.—In the case of a Warrant of Registration written on a deed which is to be recorded in the General Register of Sasines for preservation (or for preservation and execution) insert the words *for preservation* (or *for preservation and execution*) *as well as for publication.*

Note 3.—When the right of the person or persons on whose behalf a deed is to be recorded is a fiduciary one the name or names of the Trustee or other person or persons acting in a fiduciary capacity shall be inserted in the Warrant of Registration written on such deed, and may be followed by a short reference to the capacity in which he or they act, *e.g.*, *as Trustee* (*or Trustees* or as the case may be) *within mentioned*, or, if desired, a fuller reference to such capacity may be given.

Note. 4.—When a disposition or bond and disposition in security or other deed, decree or heritable security is to be recorded along with an assignation (or assignations) endorsed thereon, add at the end of the Warrant of Registration the words *along with the assignation* (or *assignations*) *endorsed hereon.*

Note 5.—When a disposition or bond and disposition in security or other deed, decree or heritable security (with the assignation or assignations, if any, endorsed thereon) is to be recorded along with a separate assignation or separate assignations, or along with a notice of title, add at the end of the

Warrant of Registration on such separate assignation or on the last in date of such separate assignations or on such notice of title, the words *along with the disposition* [*or bond and disposition in security*, or as the case may be; adding, if required, *and assignation* (or *assignations*)] *docqueted with reference hereto.*

SCHEDULE G.

MINUTE OF CONSOLIDATION.

Section 11.

I, *A.B.*, designed in the foregoing disposition, proprietor both of the superiority and of the property (*or* of the mid-superiority) of the lands described in the foregoing disposition, hereby consolidate the property of the said lands (*or* the mid-superiority of the said lands) with the superiority thereof.

[To be attested.]

SCHEDULE H.

MEMORANDUM OF ALLOCATION OF FEU DUTY NOT ENDORSED ON A DEED.

Sections 13, 25.

I, *A.B.* (*designation*), immediate lawful superior of the lands and others (*or* subjects) after-mentioned [with consent of *C.D.* (*designation*), heritable creditor under a bond and disposition in security, granted by me in his favour (*or as the case may be*) for the sum of (*insert amount*,) dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*)] hereby allocate the original feu-duty of (*specify amount*) and duplicand thereof [*or* additional feu-duty of (*specify amount*)] payable under the feu charter granted by me (*or as the case may be*) in favour of *E.F.* (*designation*), dated (*insert date*), and recorded in (*specify Register of Sasines and date of recording*) upon the following portions of the lands and others (*or subjects*) thereby disponed, namely (first) a feu-duty of £ with £ of augmentation, making a total of £ and duplicand thereof (*or as the case may be*) on all and whole (*describe or refer to a particular description*) and (second) a feu-duty of (*as above*) on all and whole (*describe or refer to a particular description*).

[To be attested.]

SCHEDULE I.

DOCQUET WHERE GRANTER OF DEED IS BLIND OR CANNOT WRITE.

Read over to, and signed by me for, and by authority of the above-named *A.B.* (*without designation*) who declares that he is blind (*or* is unable to write), all in his presence, and in presence of the witnesses hereto subscribing Section 18.

C.D., law agent (*or* notary public) Edinburgh (*or as the case may be*)
or E.F., justice of the peace for the county of
or G.H., minister (*or* assistant and successor to the minister) of the parish of .

M.N., witness.
P.Q., witness.

NOTE.—The above docquet shall be written on the last page of the deed, instrument or writing, and signed by the law agent or notary public or other person authorised to sign the same in the manner indicated in the form, and such law agent or notary public or other person shall not require also to sign above the docquet at the end of such deed, instrument or writing, and the prior pages thereof (if any) shall be authenticated in the usual manner by such law agent or notary public or other person adhibiting his own signature thereto. The witnesses to the signatures of such law agent or notary public or other person shall subscribe as indicated in the form, and may be designed in the testing clause of such deed, instrument or writing; but if there be no testing clause thereto, the designations of the witnesses may be added after their respective signatures, and if desired a specification of the place and date of signing may be added to the docquet.

SCHEDULE J.

REGISTRABLE LEASES.

A lease (*or* tack) granted by *E.F.* (*designation*) in my favour [*or* in favour of *G.H.* (*designation*) *or as the case may be*] of the subjects therein described lying in the county of (*or* burgh of and county of) dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*). Section 24.

NOTES TO SCHEDULE J.

NOTE 1.—If the recording of a lease in the appropriate Register of Sasines has been effected by a successor of the original lessee, add immediately after the mention of the date thereof *and along with notarial instrument* (or *notice of title*) *thereon in favour of* (giving the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

NOTE 2.—Where any deed authorised by this Act relates to part only of the subjects contained in a lease add *but in so far only as regards the following portion of the subjects leased, viz.* (here describe the portion or refer to description thereof as in Schedule D. hereto).

NOTE 3.—Where the granter of an assignation of a recorded lease or of a bond and assignation in security of a recorded lease is not the original lessee but has a recorded title insert *which lease* (adding if necessary *to the extent foresaid* or as the case may be) *is now vested in me, my title thereto being recorded in the said Register of Sasines* (or as the case may be, and give date of recording).

NOTE 4.—In an assignation or renunciation of a recorded lease the title of the granter of which assignation or renunciation is not recorded, and in a notice of title to a recorded lease, insert *which lease* (adding if necessary *to the extent foresaid* or as the case may be) *was last vested in the said G.H. as aforesaid* [or if *G.H.* is not the person having such title say *in J.K.* (design person having such title) *whose title thereto is recorded in said Register of Sasines* (or as the case may be, and give date of recording)], *and from whom I* (in the case of an assignation or renunciation) or *the said A.B.* (in the case of a notice of title) *acquired right by* (here specify shortly the writ or series of writs by which right was so acquired by the person granting the assignation or renunciation, or expeding the notice of title.)

NOTE 5.—Where a title to an unrecorded lease is being completed by notice of title under this Act the lease shall be referred to in manner above prescribed except that the Register of Sasines shall be specified, and for the date of recording of the lease there shall be substituted the words *of even date herewith*.

SCHEDULE K.

Form No. 1.

Assignation of a Bond and Disposition in Security.

I, *A.B.* (*design creditor*), in consideration of the sum of (*insert sum*), paid to me by *C.D.* (*designation*), hereby assign to the said *C.D.* a bond and disposition in security for the sum of (*insert sum*) granted by *E.F.* (*design original debtor*) in my favour [*or* in favour of *G.H.* (*design original creditor*)], dated (*insert date*), and recorded in [*specify Register of Sasines and date of recording; adding if necessary* but only to the extent of (*insert sum*) of principal]; With interest from (*insert date*). Sections 3, 28, 31.

[To be attested.]

Form No. 2.

Assignation of a Ground Annual.

I, *A.B.* (*design creditor*), in consideration of the sum of (*insert sum*) paid to me by *C.D.* (*designation*) hereby assign to the said *C.D.* a ground annual of (*insert amount*) exigible yearly at (*state term or date of payment*) in each year [*or* in equal portions half-yearly at (*state terms or dates of payment*) in each year, *or otherwise, as the case may be; and if there be any duplications or other casual payments add* with duplication every nineteenth year (*or otherwise as the case may be*) from and after (*state the term or date from which the current duplication or other casual payment is running*)] constituted by a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto, or of the granter and grantee*) recorded in [*specify Register of Sasines and date of recording; and if any duplications or other casual payments have been redeemed and commuted into an additional annual payment say,* and also the additional ground annual of (*insert sum*) exigible at the same term (*or* date) in each year (*or as the case may be*) in lieu and commutation of casual payments; *adding, if necessary,* but only to the extent of (*insert sum or respective sums*)] payable out of all and whole (*here describe the land or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation (Scotland) Act,* 1868); With right to the said ground annual (*or* ground annual and others) from and after (*insert date*). Section 23.

[To be attested.]

FORM No. 3.

DISCHARGE OF A BOND AND DISPOSITION IN SECURITY.

Sections 3, 29.

I, *A.B.* (*design creditor*), in consideration of the sum of (*insert sum*) paid to me by *C.D.* (*designation*), hereby discharge a bond and disposition in security for the sum of (*insert sum*) granted by the said *C.D.* [*or by E.F.* (*design original debtor*)] in my favour [*or* in favour of *G.H.* (*design original creditor*)] dated (*insert date*) and recorded in [*specify Register of Sasines and date of recording; adding, if necessary,* but only to the extent of (*insert sum*) of principal].

[To be attested.]

FORM No. 4.

DISCHARGE OF A GROUND ANNUAL.

Section 23.

I, *A.B.* (*design creditor*), in consideration of the sum of (*insert sum*) paid to me by *C.D.* (*designation*), hereby discharge the ground annual of (*insert amount, and if there be any duplications or other casual payments add* with duplications every nineteenth year *or otherwise, as the case may be*), constituted by a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto, or of the granter and grantee*) recorded in [*specify Register of Sasines and date of recording; and if any duplications or other casual payments have been redeemed and commuted into an additional annual payment say* and also the additional ground annual of (*insert sum*) constituted in lieu and commutation of casual payments; *adding, if necessary,* but only to the extent of (*insert sum or respective sums*)] payable out of all and whole (*here describe the land or refer to description thereof as in Schedule D to this Act, or as in Schedule G to the Titles to Land Consolidation* (*Scotland*) *Act*, 1868).

[To be attested.]

FORM No. 5.

DEED OF RESTRICTION OF A BOND AND DISPOSITION IN SECURITY.

Section 30.

I, *A.B.* (*design creditor*), in consideration of (*specify consideration, if any*), hereby disburden of a bond and disposition in security for the sum of (*insert sum*) granted by *C.D.* (*design original debtor*) in my favour [*or* in favour of *G.H.* (*design original creditor*)], dated (*insert date*) and recorded in [*specify Register of Sasines and date of recording, adding, if necessary,* but only to the extent of (*insert sum*) of principal], all and whole (*describe the land disburdened, or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation* (*Scotland*) *Act*, 1868).

[To be attested.]

FORM No. 6.

COMBINED PARTIAL DISCHARGE AND DEED OF RESTRICTION OF A BOND AND DISPOSITION IN SECURITY.

I, *A.B.* (*design creditor*), in consideration of the sum of (*insert sum*) paid to me by C.D. (*designation*), discharge a bond and disposition in security for the sum of (*insert sum*) granted by the said C.D. [or by E.F. (*design original debtor*)] in my favour [*or* in favour of G.H. (*design original creditor*)] dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*) but only to the extent of (*insert sum*) of principal; And I disburden of the said bond and disposition in security [*adding if necessary* but only to the extent of (*insert sum*) of principal] ALL and WHOLE (*describe the land disburdened, or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation* (*Scotland*) *Act*, 1868). Section 30.

[To be attested.]

FORM No. 7.

DEED OF RESTRICTION OF A GROUND ANNUAL.

I, *A.B.* (*design creditor*), in consideration of (*specify consideration, if any*), hereby disburden of the ground annual of (*insert amount, and if there be any duplications or other casual payments add* with duplications every nineteenth year *or otherwise as the case may be*) constituted by a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto, or of the granter and grantee*) recorded in [*specify Register of Sasines and date of recording; and if any duplications or other casual payments have been redeemed or commuted into an additional payment say* and also of the additional ground annual of (*insert sum*) constituted in lieu and commutation of casual payments, *adding, if necessary*, but only to the extent of (*insert sum or respective sums*)] all and whole (*here describe the land disburdened or refer to description thereof as in Schedule D to this Act, or as in Schedule G to the Titles to Land Consolidation* (*Scotland*) *Act*, 1868); which lands are part of all and whole (*describe the lands out of which the ground annual is payable or refer to description thereof as above*) being the lands and others (*or* subjects) out of which the said ground annual is (*or* the said ground annual and others are) payable. Section 23.

[To be attested.]

FORM No. 8.

DECREE OF ADJUDICATION FOR A GROUND ANNUAL.

Having resumed consideration of the said petition (or action) finds and declares that the ground annual of (*insert amount*) payable from the lands and others (*or* subjects) hereinafter Section 23

described has fallen two years into arrear, and that the defender *C.D.* by his failure to pay said arrears has forfeited his right in and to the said lands and others (*or* subjects), and adjudges and declares that the said lands and others (*or* subjects), that is to say, all and whole (*here describe the land or refer to description thereof as in Schedule D to this Act, or as in Schedule G to the Titles to Land Consolidation (Scotland) Act*, 1868), now belong to the Pursuer *A.B.*, from and after the (*insert date of raising of the action or other date fixed by the Court*), together with the rents, maills, and duties of the said lands and others (*or* subjects) current and unpaid at that date, (*and if there are any conditions, reservations, provisions, obligations, servitudes, or other burdens which affect the land or any part thereof and have entered the Register of Sasines prior to the constitution of the ground annual, and which are proper to be inserted or referred to, here insert the same at length or refer thereto as in Schedule H. annexed to the Conveyancing (Scotland) Act*, 1874); and grants warrant to record an extract of this decree in the Register of Sasines.

NOTES TO SCHEDULE K.

NOTE 1.—If the original infeftment upon a bond and disposition in security or other heritable security has been taken otherwise than by recording the same in the appropriate Register of Sasines, add immediately after the mention of the date of such bond and disposition in security or other deed *and instrument of sasine* (or *notarial instrument*, or if such be the case *and along with notice of title*) *thereon* (adding if such instrument or notice is not in favour of the original creditor the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

Sections 3, 28, 29, 30, 31.

NOTE 2.—Where the granter of an assignation, discharge or deed of restriction of a bond and disposition in security is not the original creditor, but has a recorded title, insert at the end of the deed *Which bond and disposition in security* (adding, if necessary, *to the extent aforesaid* or as the case may be) *is now vested in me, my title thereto being recorded in the said Register of Sasines* (or as the case may be, and give date of recording); or if such granter has not a recorded title say *was last vested in the said* (give name of original creditor) *as aforesaid* [or if he was not the person having the last recorded title, say *was last vested* (adding, if necessary, *to the extent aforesaid*, or as the case may be) *in J.K.* (design person having last recorded title) *whose title thereto was recorded in said Register of Sasines* (or as the case may be, and give date of recording)], *and from whom I acquired right* (adding, if necessary, *to the extent aforesaid* or as the case may be) *by* (here specify the writ or series of writs by which right was so acquired). In the case of an assignation, discharge or deed of restriction of a ground annual or other real burden the same course will be

followed except that the words *ground annual* or *real burden* shall be substituted for the words *bond and disposition in security*.

Note 3.—If part of the security subjects has already been disburdened there may be inserted in an assignation after the specification of the bond assigned a reference to the previous partial discharge or deed of restriction.

Note 4.—In adapting Forms Nos. 1, 3 and 5 of this schedule to real burdens for capital sums there shall be substituted for the specification of the bond and disposition in security the following :—*A real burden for the sum of* (insert sum) *payable in terms of* (specify deed under which the real burden was reserved or constituted, giving the names and designations of the granter and grantee or of the parties thereto), *dated* (insert date) *and recorded in* (specify Register of Sasines and date of recording).

SCHEDULE L.

Premonition by Debtor or Proprietor desiring to redeem a Heritable Security.

Form No. 1.

To *A.B.* (*insert name and last known address of person to whom notice is given*). Section 32.

Take notice that at the term of (*state term and year*) *C.D.* (*name debtor or proprietor*) will repay the principal sum of (*insert sum*) and all interest thereon due under a bond and disposition in security (*or other security*) granted by the said *C.D.* [*or* by *E.F.* (*original debtor*)] in your favour [*or* in favour of *G.H.* (*original creditor*)], dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*).

Dated this day of

(*To be signed by the debtor, or proprietor, or by his Agent, who will add his designation and the words* Agent of the said *C.D.*)

Form No. 2.

I, *A.B.* above named, hereby acknowledge receipt of the foregoing Premonition (*or* of the Premonition of which the foregoing is a copy). Section 32.

Dated this day of

Form No. 3.

Premonition, of which the foregoing is a copy, was posted (*or otherwise as the case may be*) to *A.B.* above named on the day of Section 32.

(*To be signed by the debtor, or proprietor, or by his Agent, who will add his designation and the words* Agent of the said *C.D. and if posted the postal receipt to be attached*).

FORM No. 4.

FORM OF CERTIFICATE WHERE LAND HAS BEEN REDEEMED OF A HERITABLE SECURITY BUT DISCHARGE CANNOT BE OBTAINED.

Section 32.

I, *A.B.* (*designation*), notary public (*or* law agent), hereby certify that *C.D.* (*designation*), proprietor (*or as the case may be*), of the lands and others (*or* subjects) contained in the bond and disposition in security (*or other heritable security*) aftermentioned [*or* that *X.Y.* (*designation*), the debtor in the bond and disposition in security (*or other heritable security*) aftermentioned] represented to me that on the (*insert date*) he caused to be consigned in the (*specify bank or branch of bank in which the money was consigned*) the sum of (*insert amount consigned*) being the cumulo amount (*or* the balance) of the principal sum, interest and expenses (*or as the case may be*) due (*or* remaining due) under the said bond and disposition in security (*or other heritable security*) conform to deposit receipt dated (*insert date*) by the said bank for said amount in the name of *E.F.* (*designation*), the creditor in (*or* now in right of) the said bond and disposition in security (*or other heritable security*) [*if he is only a partial creditor say* to the extent of (*insert amount*)], which consignation was made in virtue of the power of redemption reserved in the bond and disposition in security for the sum of (*insert amount*) granted by the said *C.D.* [*or* by *G.H.* (*design original debtor*)] in favour of the said *E.F.* [*or* in favour of *J.K.* (*design original creditor*)] dated (*insert date*) and [*adding if such be the case* instrument of sasine *or* notarial instrument (*or* along with notice of title) thereon *and if such instrument or notice is not in favour of the original creditor specifying the name and designation of the person in whose favour it is conceived*] recorded in (*specify Register of Sasines and date of recording*) ; [*If E.F. is not the original creditor but has a recorded title insert* Which bond and disposition in security (*adding if necessary* to the extent aforesaid *or as the case may be*) is now vested in the said *E.F.* (*or other person holding the last recorded title giving his name and designation*) whose title thereto is recorded in the said Register of Sasines (*or as the case may be, and give date of recording*), *and if E.F. is the successor of the person having such last recorded title specify E.F.'s right as successor to him*]; And I further certify that such consignation was rendered necessary by the refusal of the said *E.F.* to receive the sum so consigned [*or* by the refusal (*or* incapacity) of the said *E.F.* to grant a valid discharge of the said bond and disposition in security (*or other heritable security*) *or* by the absence (*or* death) of the said *E.F. or as the case may be, stating the reason why a valid discharge could not be obtained*] notwithstanding that the requisite premonition was duly given, and that the said deposit receipt for the sum so consigned was presented to me.

A.B.

[To be attested.]

SCHEDULE M.

Notice calling up Bond.

Form No. 1.

To *A.B.* (*insert name and last known address of person to whom notice is given*). Section 33.

Take notice that *C.D.* (*name creditor*) requires payment of the principal sum of (*insert sum*) with interest thereon at the rate of per centum per annum from the day of due under a Bond and Disposition in Security by you [*or* by *E.F.* (*original debtor*)] in favour of the said *C.D.* [*or* of *G.H.* (*original creditor*) of which the said *C.D.* is now in right], dated (*insert date*) and recorded in (*specify Register of Sasines, and date of recording*) : And that failing full payment of the said principal sum, interest and expenses within three months after this demand the lands and others (*or* subjects) held in security may be sold.

Dated this day of (*date of giving notice personally or of posting same*).

(*To be signed by the creditor, or by his Agent, who will add his designation and the words* Agent of the said *C.D.*)

Form No. 2.

I, *A.B.* above named, hereby acknowledge receipt of the foregoing notice (*or* of the notice of which the foregoing is a copy), and I agree to the period of notice being dispensed with (*or* shortened to). Dated this day of . Sections 34, 35.

Form No. 3.

Notice of which the foregoing is a copy was posted (*or otherwise, as the case may be*) to *A.B.* above named on the day of . Section 34.

(*To be signed by the creditor, or by his Agent, who will add his designation and the words* agent of the said *C.D.*, *and if posted the postal receipt to be attached.*)

SCHEDULE N.

CERTIFICATE AS TO SURPLUS (IF ANY), OR NO SURPLUS, WHERE LAND IS SOLD UNDER A HERITABLE SECURITY.

Section 42.

I, *A.B.* (*insert designation*), notary public (*or* law agent) with reference to the sale of the lands and others (*or* subjects) contained in the bond and disposition in security (*or other heritable security*) aftermentioned, which sale took place at (*insert place*) upon the (*insert date*) at the instance of *C.D.* (*insert designation*) in virtue of the power of sale contained in a bond and disposition in security (*or other heritable security*) for the sum of (*insert amount*) granted by *E.F.* (*design original debtor*) in favour of the said *C.D.* [*or* in favour of *G.H.* (*design original creditor*)] dated (*insert date*) and [*adding if such be the case* instrument of sasine *or* notarial instrument (*or* along with notice of title) thereon, *and if such instrument or notice is not in favour of the original creditor, specify the name and designation of the person in whose favour it is conceived*] recorded in [*specify Register of Sasines, and date of recording; adding if such be the case* To which bond and disposition in security (*or other heritable security*), *adding if necessary* to the extent of (*insert amount*), the said *C.D.* acquired right by succession (*or* transmission *or as the case may be*)], Do hereby certify that there has been submitted to me a statement of the intromissions of the said *C.D.*, with the price of said land subscribed by the said *C.D.* [*or* by *J.K.* (*insert designation*) agent of the said *C.D.* on his behalf] from which it appears that no surplus remains for consignation in terms of section 122 of the Titles to Land Consolidation (Scotland) Act, 1868 [*or where such surplus remains say* from which it appears that a surplus of (*insert amount*) remains for consignation in terms of section 122 of the Titles to Land Consolidation (Scotland) Act, 1868, and I further certify that such surplus has been so consigned in (*specify bank or branch of bank in which the money was consigned*) conform to deposit receipt dated (*insert date*) by said bank for said amount in the joint names of the said *C.D.* and of *L.M.* (*insert designation of the purchaser of said land*), which deposit receipt has been presented to me].

A.B.

[To be attested.]

CHAPTER 28.

An Act to make provision with respect to leave of absence from India of the Governor-General, Commander-in-Chief, Governors and members of Executive Councils, and with respect to the appointment of Commander-in-Chief.

[1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of ss. 86 and 87 of the Government of India Act.

1. For sections eighty-six and eighty-seven of the Government of India Act, there shall be substituted the following sections:—

Power to grant leave of absence to Governor-General, &c.

86.—(1) The Secretary of State in Council may grant to the Governor-General and, on the recommendation of the Governor-General in Council, to the Commander-in-Chief, leave of absence for urgent reasons of public interest, or of health or of private affairs.

(2) The Secretary of State in Council may, on the recommendation of the Governor-General in Council, grant to a Governor, and the Governor-General in Council, or a Governor in Council or a Lieutenant-Governor in Council, as the case may be, may grant to any member of his Executive Council (other than the Commander-in-Chief) leave of absence for urgent reasons of health or of private affairs.

(3) Leave of absence shall not be granted to any person in pursuance of this section for any period exceeding four months nor more than once during his tenure of office:

Provided that the Secretary of State in Council may, if he thinks fit, extend any period of leave so granted, but in any such case the reasons for the extension shall be set forth in a minute signed by the Secretary of State and laid before both Houses of Parliament.

(4) Where leave of absence is granted to any person in pursuance of this section, he shall retain his office during the period of leave as originally granted, or, if that period is extended by the Secretary of State in Council, during the period as so extended, but, if his absence exceeds that period, his office shall be deemed to have become vacant in the case of a person granted leave for urgent reasons of public interest as from the termination of that period and in any other case as from the commencement of his absence.

(5) Where a person obtains leave of absence in pursuance of this section, he shall be entitled to receive during his absence such leave-allowances as may be prescribed by rules made by the Secretary of State in Council, but, if he does not resume his duties upon the termination of the period of the leave, he shall, unless the Secretary of State in Council otherwise directs, repay, in such manner as may be so prescribed as aforesaid, any leave-allowances received under this subsection.

(6) If the Governor-General or the Commander-in-Chief is granted leave for urgent reasons of public interest, the Secretary of State in Council may, in addition to the leave-allowances to which he is entitled under this section, grant to him such further allowances in respect of travelling expenses as the Secretary of State in Council may think fit.

(7) Rules made under this section shall be laid before both Houses of Parliament as soon as may be after they are made.

Acting appointments during the absence of the Governor-General, &c. on leave.

87.—(1) Where leave is granted in pursuance of the foregoing section to the Governor-General, or to the Commander-in-Chief, or to a Governor, a person shall be appointed to act in his place during his absence, and the appointment shall be made by His Majesty by warrant under the Royal Sign Manual. The person so appointed during the absence of the Commander-in-Chief may, if the Commander-in-Chief was a member of the Exe-

cutive Council of the Governor-General, be also appointed by the Governor-General in Council to be a temporary member of that Council.

(2) The person so appointed shall, until the return to duty of the permanent holder of the office, or, if he does not return, until a successor arrives, hold and execute the office to which he has been appointed and shall have and may exercise all the rights and powers thereof and shall be entitled to receive the emoluments and advantages appertaining to the office, foregoing the emoluments and advantages (if any) to which he was entitled at the time of his being appointed to that office.

(3) When during the absence on leave of the Governor-General a Governor is appointed to act in his place, the provisions of this section relating to the appointment of a person to act in the place of a Governor to whom leave of absence has been granted in pursuance of the foregoing section shall apply in the same manner as if leave of absence had been so granted to the Governor.

Amendment of s. 92 of Government of India Act.

2. For subsection (4) of section ninety-two of the Government of India Act, there shall be substituted the following subsections:—

(4) Until the return to duty of the member so incapable or absent, the person temporarily appointed shall hold and execute the office to which he has been appointed, and shall have and may exercise all the rights and powers thereof, and shall be entitled to receive the emoluments and advantages appertaining to the office, foregoing the emoluments and advantages (if any) to which he was entitled at the time of his being appointed to that office.

(4A) When a member of an Executive Council is by infirmity or otherwise rendered incapable of acting or attending to act as such and a temporary member of council is appointed in his place, the absent member shall be entitled to receive half his salary for the period of his absence.

Appointment of Commander-in-Chief.

3. At the beginning of section nineteen of the Government of India Act the following subsection shall be inserted:—

(1) The Commander-in-Chief of His Majesty's forces in India is appointed by His Majesty by warrant under the Royal Sign Manual.

Short title, construction, and printing.

9 & 10 Geo. 5. c. 101.

4.—(1) This Act may be cited as the Government of India (Leave of Absence) Act, 1924.

(2) Subsection (2) of section forty-five of the Government of India Act, 1919, which relates to the effect of amendments to and the printing of the Government of India Act shall have effect as if it were herein re-enacted and in terms made applicable to the amendments effected by this Act.

CHAPTER 29.

An Act to extend the duration of the Local Authorities (Emergency Provisions) Act, 1923. [1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extension of duration of 13 & 14 Geo. 5. c. 6.

1. The provisions of the Local Authorities (Emergency Provisions) Act, 1923, mentioned in the Schedule to this Act, shall have effect as if for references therein to "nineteen hundred and twenty-four" there were substituted references to "nineteen hundred and twenty-six."

Short title and construction.

2. This Act may be cited as the Local Authorities (Emergency Provisions) Act, 1924, and shall be construed as one with the Local Authorities (Emergency Provisions) Act, 1923, and that Act and this Act may be cited together as the Local Authorities (Emergency Provisions) Acts, 1923 and 1924.

SCHEDULE.

Section 1.

PROVISIONS OF 13 & 14 GEO. 5. C. 6 CONTINUED.

Section of Act.	Subject Matter.
Section one	Continuance until the first day of April, nineteen hundred and twenty-four, subject to certain modifications, of section one of the Local Authorities (Financial Provisions) Act, 1921, which provides for the temporary extension of charges on the Metropolitan Common Poor Fund. (11 & 12 Geo. 5. c. 67.)
Section two	Substitution for "the first day of April, nineteen hundred and twenty-three," of the "first day of April, nineteen hundred and twenty-four," in the following provisions of the Local Authorities (Financial Provisions) Act, 1921; that is to say:—
	(*a*) the proviso to subsection (3) of section three thereof (which enabled the Minister of Health in certain circumstances to extend the time within which sums borrowed under that section are to be repaid if borrowed before the first day of April first mentioned);
	(*b*) Subsection (1) of section six thereof (which provided that money borrowed by a local authority before the first-mentioned first day of April for certain purposes is not to be reckoned as part of the debt of the local authority for the purposes of any enactment limiting the powers of borrowing by that authority);
	(*c*) Subsection (2) of section six thereof (which suspended until the first-mentioned first day of April the operation of subsection (3) of section two hundred and thirty-four of the Public Health Act, 1875). (38 & 39 Vict. c. 55.)

CHAPTER 30.

An Act to amend the Unemployment Insurance Acts, 1920 to 1924. [1st August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Rights of insured persons to unemployment benefit. 10 & 11 Geo. 5. c. 30.

1.—(1) Until the thirtieth day of June, nineteen hundred and twenty-six, an insured contributor who is unemployed shall, if and so long as the statutory conditions are fulfilled in his case and he is not disqualified under the Unemployment Insurance Act, 1920 (in this Act referred to as "the principal Act"), for the receipt of unemployment benefit (in this Act referred to as "benefit"), be entitled, subject to the provisions of the Unemployment Insurance Acts, 1920 to 1924, and to the provisions contained in Part I. of the First Schedule to this Act (which re-enacts with modifications the provisions of the Second Schedule to the principal Act), to receive such benefit in accordance with the provisions hereinafter contained in this section.

(2) An applicant for benefit in whose case the requirements of subsection (1) of this section are fulfilled shall, unless the number of the contributions paid in respect of him since the beginning of the insurance year next before the beginning of the benefit year in which the application for benefit is made is less than twenty, be entitled to receive benefit in the proportion of one week's benefit for every six contributions paid in respect of him and for periods not exceeding in the aggregate twenty-six weeks in a benefit year.

(3) If an applicant for benefit in whose case the requirements of subsection (1) of this section are fulfilled is not entitled thereto under the provisions of the last preceding subsection, by reason either that the number of contributions paid in respect of him within the period therein mentioned is less than twenty, or that sufficient contributions are not standing to his credit or that he has already received benefit for periods amounting in the aggregate to twenty-six weeks in the benefit year

in which the application is made, he shall nevertheless be entitled to receive benefit if in addition to satisfying the requirements aforesaid he also proves—

(*a*) that he is normally employed in such employment as would make him an employed person within the meaning of the principal Act (in this Act referred to as "insurable employment"), and will normally seek to obtain his livelihood by means of insurable employment:

(*b*) that in normal times insurable employment suited to his capacities would be likely to be available for him;

(*c*) that he has, during the two years immediately preceding the date of the application for benefit, been employed in an insurable employment to such an extent as was reasonable, having regard to all the circumstances of the case and in particular to the opportunities for obtaining insurable employment during that period;

(*d*) that he is making every reasonable effort to obtain employment suited to his capacities and is willing to accept such employment.

For the purposes of paragraph (*c*) of this subsection:

(i) in the case of a seaman, marine, soldier or airman in respect of whom a payment is to be made or has been made under section forty-one of the principal Act, service as seaman, marine, soldier, or airman; and

(ii) in the case of any person formerly engaged in war service, the undergoing of training for an insurable occupation, where the cost of the training is defrayed out of funds administered by the Minister or by the Minister of Pensions;

shall be treated as employment in insurable employment.

In the foregoing provision the expression "person formerly engaged in war service," has the same meaning as in the Unemployment Insurance Act, 1922. 12 Geo. 5. c. 7.

(4) Notwithstanding that the employment of an insured contributor has terminated, he shall not be deemed to be unemployed within the meaning of this section during a period in respect of which he con-

tinues to receive wages or receives any payment by way of compensation for the loss of, and substantially equivalent to, the remuneration which he would have received if the employment had not terminated.

(5) For the purposes of this Act, the expression "benefit year" means in relation to any insured contributor the period of twelve months commencing on the date on which that contributor first makes an application for benefit next after this Act comes into operation, and every subsequent period of twelve months commencing on the date on which that contributor first makes an application for benefit next after the termination of his last preceding benefit year:

Provided that, if in the case of any insured contributor this Act comes into operation at a time when he is continuously unemployed, the benefit year current at the commencement of this Act shall, unless the Minister otherwise directs, continue in relation to him until the date on which the period of continuous unemployment ceases, but not in any case beyond the fifteenth day of October, nineteen hundred and twenty-four.

13 Geo. 5. c. 2.

(6) In the case of a person who has satisfied the requirements for the receipt of benefit in the first benefit year, as defined in section three of the Unemployment Insurance Act, 1923, the Minister may, during such period as may be necessary for the examination of his qualifications for the receipt of benefit under this Act, but not exceeding six weeks next after the passing of this Act, authorise payment of benefit to him under subsection (3) of this section, as if he were a person who complied with the requirements of that subsection.

Rates of unemployment benefit.

2.—(1) As from the second Thursday next after the commencement of this Act benefit shall be at the weekly rates set out in Part II. of the First Schedule to this Act.

11 & 12 Geo. 5. c. 1.

(2) Section one of the Unemployment Insurance Act, 1922 (which provides that the weekly rate of benefit authorised by the Unemployment Insurance Acts, 1920 and 1921, shall be increased in respect of certain dependants), shall apply to the weekly rate of benefit authorised by this section as it applies to the weekly

rate of benefit authorised by the said Acts, subject to the following modifications, namely, that the increase—

(*a*) shall be allowed in the case of an unmarried person (not being a person entitled to an increase under the said section otherwise than in respect of his dependent children) who has living with him and is wholly or mainly maintaining his widowed mother;

(*b*) shall be allowed in the case of a widow or an unmarried woman who has residing with her any female person for the purpose of having the care of her dependent children and is maintaining that person; and

(*c*) in respect of a child shall be two shillings instead of one shilling.

Amendment as to statutory conditions.

3.—(1) Section seven of the principal Act (which prescribes the statutory conditions for the receipt of benefit) shall be amended as follows:—

(*a*) The following paragraphs shall be substituted respectively for paragraphs (i), (iii) and (iv) of subsection (1):—

"(i) that he proves that not less than thirty contributions have been paid in respect of him under this Act since the beginning of the first of the two insurance years next before the beginning of the benefit year in which the application for benefit is made;"

"(iii) that he is capable of and available for work;"

"(iv) that he is genuinely seeking work, but unable to obtain suitable employment;"

(*b*) After the words "than those" in paragraph (*b*) of the proviso to subsection (1) there shall be inserted the words "which he might reasonably "have expected to obtain having regard to "those."

(2) During the period between the commencement of this Act and the first day of October, nineteen hundred and twenty-five, a person shall be entitled to receive benefit if the Minister thinks fit so to direct in his case,

notwithstanding that the first statutory condition may not have been fulfilled in his case.

Amendments as to disqualifications for receipt of unemployment benefit.

4.—(1) Subsection (1) of section eight of the principal Act (which imposes a disqualification for the receipt of benefit during a stoppage of work) shall not apply in any case in which the insured contributor proves that he is not participating in or financing or directly interested in the trade dispute which caused the stoppage of work, and that he does not belong to a grade or class of workers members of which are participating in or financing or directly interested in the dispute, or that the stoppage is due to an employer acting in a manner so as to contravene the terms or provisions of any agreement existing between a group of employers where the stoppage takes place, or of a national agreement to either of which the employers and employees are contracting parties.

(2) Subsection (3) of section eight of the principal Act (which disqualifies an insured contributor for the receipt of benefit while he is an inmate of any workhouse or other institution supported wholly or partly out of public funds) shall not apply in the case of an insured contributor who is an inmate of an institution used as a place of residence for workers if he proves that he was an inmate of the institution immediately before he became unemployed and that during the time when he was employed he paid the whole or a substantial part of the cost of his maintenance as such inmate.

Amount of state contribution.

5.—(1) The contribution to be made for the purposes of section five of the principal Act out of moneys provided by Parliament shall be at a rate equal to one-half of the aggregate amount of the contributions paid in respect of the employed person by himself and his employer, or, in the case of an exempt person, paid by his employer, and subsections (3) and (7) of the said section five shall have effect accordingly.

(2) This section shall have effect as from the date to be prescribed by the Minister under subsection (2) of section four of the Unemployment Insurance Act, 1923, as the date on which new rates of contribution are to come into force.

Amendment of s. 12 (3) of principal Act.

6. There shall be included among the expenses of which account may be taken for the purposes of the proviso to subsection (3) of section twelve of the principal Act (which provides that such sum as the Treasury may direct, not exceeding one-eighth of the receipts of the unemployment fund, shall be applied as an appropriation in aid of the moneys provided by Parliament for the purpose of the salaries, remuneration and expenses therein mentioned)—

(*a*) such sum as in the opinion of the Treasury approximately represents the amount in each year of the accruing liability in respect of the benefits to which any officers, inspectors or servants employed for the purposes of the principal Act will on their retirement become entitled under the Superannuation Acts, 1834 to 1919; and

(*b*) any capital expenditure incurred for the purpose of providing premises for the purposes of the principal Act:

Provided that, if in any case where the amount of any such capital expenditure has been charged to the unemployment fund the premises in respect of which the expenditure was incurred are sold or are used for purposes other than those of the said Act, there shall be deducted from the amount thereafter chargeable to the unemployment fund under the said proviso such sum as may be determined by the Treasury, with the consent of the Minister, to represent the then value of the premises; and

(*c*) in the case of any premises occupied for the purposes of the principal Act in respect of which no rent is payable, such an amount as is estimated by the Treasury, with the consent of the Minister, to represent the rental value of the premises, after allowing for any capital expenditure incurred as aforesaid, which has been charged to the unemployment fund.

Amendments to s. 17 of principal Act.

7.—(1) Section seventeen of the principal Act (which provides for arrangements being made with associations which make payments to their members while unemployed for the payment to such associations of sums

out of the unemployment fund equivalent to the amount which those members would have received by way of unemployment benefit), as amended by any subsequent enactment, shall have effect as if in subsection (1) thereof there were substituted for the words "which those persons would have received" the words "which those persons would have been entitled to receive."

(2) Where in consequence of a decision of an insurance officer or umpire or a recommendation of a court of referees a society or other association has paid to one of its members any sum by way of provision for unemployment, then, if the decision or recommendation is subsequently revised, so much of that sum as represented the amount of benefit which but for the arrangement would have been payable to that person may, unless that person shows that the sum was received by him in good faith and without knowledge that he was not entitled thereto, be recovered, without prejudice to any other remedy, by means of deductions from any benefit or from any payment from the society or other association to which that person thereafter becomes entitled.

Any question whether a person is liable under the provisions of this subsection to have a reduction made from any benefit or payment due to him shall be determined in the same manner as a claim for benefit.

Abolition of power to make special schemes.

8.—(1) The power of the Minister under section eighteen of the principal Act to make special orders approving or making special schemes shall be suspended until the expiration of one year from the termination of the deficiency period referred to in the Unemployment Insurance (No. 2) Act, 1921 :

11 & 12 Geo. 5. c. 15.

Provided that the foregoing provision shall not affect the power of the Minister to approve a scheme if a draft thereof appearing to him to be complete was submitted to him before the third day of April, nineteen hundred and twenty-four, and application was before that date made to him to approve the scheme in accordance with the provisions of section eighteen of the principal Act.

(2) For the purpose of securing in the case of a special scheme (whether approved before or after the commencement of this Act) that like rates of benefit shall be payable to the persons to whom the scheme

applies as are payable under this Act, and that the benefits under the scheme shall otherwise be not less favourable than those provided by the general provisions of the Unemployment Insurance Acts, 1920 to 1924 (but for no other purpose), the Minister may, after consultation with the body charged with the administration of the scheme, notwithstanding anything in the said section eighteen, by order vary or amend the provisions of the scheme, and any such order may provide for consequential amendments as to the rates of contribution and otherwise.

(3) Subsection (7) of section eighteen of the principal Act (which provides for the payment of a certain sum in every year out of moneys provided by Parliament to the body charged with the administration of a special scheme) shall cease to have effect.

(4) The power of the Minister under subsection (9) of section eighteen of the principal Act to vary or amend the provisions of a scheme made under that section may, except in the case of provisions relating to rates of contribution, rates or duration of benefit, or the constitution of the body charged with the administration of the scheme, be exercised by order instead of by special order.

Any order, not being a special order, made under the said subsection (9), as amended by this subsection, for varying or amending the provisions of a scheme shall be laid before both Houses of Parliament in the same manner as regulations made under the principal Act, and subsection (3) of section thirty-five of the principal Act shall apply accordingly.

Amendment as to refunds of contributions.

9.—(1) If on an application made under this section the Minister is satisfied that any person who is or has been an insured contributor had before the date on which this section comes into operation—

(*a*) paid contributions in respect of not less than fifty weeks in accordance with the general provisions of the principal Act; and

(*b*) reached the age of fifty years;

that person or his personal representative shall be entitled to be paid out of the unemployment fund a sum representing the present worth as on that date of the amount of the excess value of the contributions paid by

him as increased (in the case of an insured contributor who has not attained the age of sixty years) by compound interest at the rate of two-and-a-half per cent. per annum on the amount of that excess value from the date aforesaid until the date on which he would attain the age of sixty years.

(2) An application for a payment under this section must be made in the prescribed manner and within twelve months after the date on which this section comes into operation.

(3) For the purposes of this section—

(*a*) the amount of the excess value of the contributions paid by an insured contributor shall be taken to be the amount by which the total amount of the contributions actually paid by him exceeds the aggregate of the sums received by him by way of benefit, together with compound interest on that excess up to the date on which this section comes into operation at such rate and calculated in such manner as is directed by section twenty-five of the principal Act:

(*b*) in calculating the excess value of contributions—

(i) contributions and benefit paid subsequently to the seventh day of November, nineteen hundred and twenty, shall be reckoned as if they had been paid at the rates at which contributions and benefit were respectively payable under the principal Act as originally enacted; and

(ii) no account shall be taken of contributions repaid or refunded, of benefit previously taken into account for the purposes of a refund under any of the provisions of the principal Act, of grants or contributions paid under the Unemployed Workers' Dependants (Temporary Provisions) Act, 1921, of contributions on account of which a payment has been made under subsection (10) of section eighteen of the principal Act to the body charged with the administration of a special scheme, or,

11 & 12 Geo. 5. c. 62.

where no contributions have been paid in respect of any person for a period comprising five insurance years, of contributions paid in respect of him, or benefit paid to him, before the last such period; and

(c) The present worth of the amount of the excess value of contributions as increased by any such compound interest as aforesaid (if any) shall be calculated in manner prescribed by regulations, and any regulations made for that purpose shall direct that in making the calculation regard shall be had, among other matters, to the fact that contributions may cease for a period comprising five insurance years to be paid in respect of the insured contributor, and, in the case of an insured contributor who has not attained the age of sixty years, to the fact that he may not live to attain that age.

(4) Payment to an insured contributor under this section shall not affect his liability to pay contributions.

(5) Section twenty-five of the principal Act shall cease to have effect, except that, where any person had before the date upon which this section comes into operation become entitled to claim a repayment under that section, an application may be made in that behalf under that section instead of under this section at any time within twelve months after the date on which this section comes into operation, and no repayment to which any person may be entitled under section ninety-five of the National Insurance Act, 1911, shall be made unless an application for repayment is made to the Minister within the said period of twelve months. 1 & 2 Geo. 5. c. 55.

(6) If in any case where there is a failure to make any such application as is mentioned in this section within the period of twelve months after the date on which this section comes into operation it is shown to the satisfaction of the Minister that there was good cause for the failure, the Minister may allow the application to be made at any time within four years after the expiration of the said period.

(7) This section shall come into operation on the seventh day of July, nineteen hundred and twenty-four.

Amendment as to forces of the Crown.

10.—(1) Subsection (2) of section forty of the principal Act, which provides that a man of the Air Force Reserve shall be deemed while undergoing training to be an employed person in the service of the Crown, shall apply to men of the Auxiliary Air Force as it applies to men of the Air Force Reserve.

(2) The following subsection shall be substituted for subsection (1) of section nine of the Unemployment Insurance (No. 2) Act, 1921:—

"(1) Where after the passing of this Act any person—

(*a*) being a naval pensioner or a man of the Naval Reserves, Army Reserve, or Air Force Reserve, is called into actual service on an occasion of great emergency or called out for service otherwise than for training, as the case may be; or

(*b*) engages as a seaman in the Navy, or enlists as a marine in the Royal Marines, as a soldier in the regular Army or as an airman in the regular Air Force, on an occasion of great emergency for service during the emergency; or

(*c*) being a man of the Territorial Army, is called out for actual military service or is embodied, or, being a man of the Auxiliary Air Force, is called out for actual Air Force service or is embodied;

he shall, during the period of four months from the date on which he is so called into actual service, called out for service, engages, enlists, is called out for actual military service or actual Air Force service, or is embodied, as the case may be, or during the period between that date and the date on which the service or embodiment terminates, whichever period is the shorter, be treated for the purposes of section forty of the principal Act, as amended by any subsequent enactment, as if he were a man of the Naval Reserves, the Army Reserve, the Air Force Reserve, the Territorial Army, or the Auxiliary Air Force, as the case may be, undergoing training and in receipt

of pay out of moneys provided by Parliament for the Navy, Army, or Air Force services."

(3) Section forty-one of the principal Act (which makes special provision with respect to discharged seamen, marines, soldiers, and airmen), as amended by any subsequent enactment, shall have effect as if—

(*a*) The references therein to soldiers and airmen included respectively references to men of the Territoral Army and men of the Auxiliary Air Force who, having been called out for actual military service or actual Air Force service, or having been embodied, are not discharged within the period of four months mentioned in the section directed by this section to be substituted for subsection (1) of section nine of the Unemployment Insurance (No. 2) Act, 1921; and

(*b*) In subsection (4) thereof the words "who " is discharged at his own request or at the " request of his parent or guardian or" were omitted, and after the words "civil court" there were inserted the words "or to any person " discharged on account of fraudulent enlist- " ment," and at the end thereof there were inserted the words "or to any seaman, marine, " soldier or airman who is discharged at his " own request, or at the request of his parent " or guardian or of some other interested " person, unless he is discharged within three " months of the date when he is due for dis- " charge for the purpose of taking up civil " employment which would not otherwise " remain open for him" ; and

(*c*) In subsection (5) thereof, at the end of the definition of "seaman" there were added the words "but does not include native ratings, or " Maltese recruited outside the United King- " dom," and at the end of the definition of " airman" there were added the words "other " than a native or a Maltese recruited outside " the United Kingdom."

Period within which proceedings may be brought for recovery of sums recoverable summarily as civil debts.

11. Proceedings for the summary recovery as civil debts of sums due to the unemployment fund may, notwithstanding anything in any Act to the contrary, be brought at any time within twelve months from the time when the matter complained of arose, or, where the complaint is in respect of a consecutive series of unpaid contributions or a consecutive series of payments on account of benefit, within twelve months from the date on which the last of the contributions became payable or the last payment on account of benefit was received.

Power to make regulations with respect to appointment of persons to represent deceased or insane persons.

12. Provision may be made by regulations under section thirty-five of the principal Act for the appointment of a person to receive on behalf of or as representative of an insured contributor who becomes of unsound mind or dies any sums payable out of the unemployment fund to or in respect of him.

Provision as to persons employed on night work.

13. The power of the Minister under section thirty-five of the principal Act to make regulations shall include power to make regulations prescribing, either generally or with respect to any special class of cases, that where a period of employment begun on one day extends over midnight into another day, the person employed shall be treated as having been employed on such one or other only of those two days as the regulations may direct.

Amendment of subsection (2) of s. 14 of principal Act.

14. The following shall be substituted for subsection (2) of section fourteen of the principal Act:—

(2) The accounts of the unemployment fund shall be examined by the Comptroller and Auditor General and shall, together with his report thereon, be laid before Parliament.

Changes in insurance year.

15. The Minister may by regulations prescribe the date on which the period constituting the insurance year is to commence, and any such regulations may contain such consequential and supplemental provisions as appear to the Minister to be necessary for dealing with or regulating the transition from the old to the new period, and in particular for making provision with respect to any period of time between the end of one insurance year and the commencement of the next insurance year.

Consequential and minor amendments.

16. The amendments specified in the second column of the Second Schedule to this Act (which relate to consequential and minor matters) shall be made in the enactments specified in the first column of that Schedule.

Short title, repeal, decision of questions, application and commencement.

17.—(1) This Act may be cited as the Unemployment Insurance (No. 2) Act, 1924, shall be included among the Acts which may be cited together as the Unemployment Insurance Acts, 1920 to 1924, and shall be construed as one with those Acts, and any reference in this Act to those Acts, or to any of them, or to any provision contained in any of them, shall, unless the context otherwise requires, be construed as a reference to those Acts, that Act, or that provision, as amended by this Act.

(2) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(3) If a question arises whether a person satisfies the additional conditions required to be satisfied by a person applying for benefit under subsection (3) of section one of this Act, or with respect to the date of the making of an application for benefit, that question shall be decided by the Minister, whose decision thereon shall be final.

(4) The Minister may, if he thinks fit, refer to any committee to which questions may be referred under subsection (5) of section thirteen of the principal Act any question which is to be decided by him under this Act, and any question arising under subsection (2) of section three of this Act whether a person should be allowed to receive benefit notwithstanding that the first statutory condition is not fulfilled in his case.

(5) The provisions of this Act amending sections forty and forty-one of the principal Act shall have effect with respect to those sections (as amended by any subsequent enactment, including any Order in Council made under the Government of Ireland Act, 1920) as they apply to Northern Ireland, but save as aforesaid this Act shall not apply to Northern Ireland. 10 & 11 Geo. 5. c. 67.

(6) The Minister may by regulations provide for the transition from the provisions of the Unemployment Insurance Acts, 1920 to 1924, to the provisions of those Acts as amended by this Act.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

PART I.

SUPPLEMENTAL PROVISIONS RELATING TO RIGHT TO UNEMPLOYMENT BENEFIT.

1. Benefit shall be payable in respect of each week after the first three days of a continuous period of unemployment.

2. No person shall receive benefit in respect of any period of less than one day.

3. The following provisions shall have effect for the purpose of determining the number of contributions which are to be taken as standing at any time to the credit of any person :—

(*a*) Where owing to the fact that the wages or other remuneration of an employed person are paid at intervals greater than a week, or for any other like reason, contributions are paid in respect of any person at intervals greater than a week, that person shall be entitled to treat each of those contributions as being such number of contributions as there are weeks in the period in respect of which the contribution was paid :

(*b*) there shall be deducted from the aggregate number of contributions actually paid in respect of him one contribution in respect of each day of benefit previously received by him, exclusive of any benefit received in respect of the period between the seventh day of November, nineteen hundred and twenty, and the termination of the fourth special period, or in the case of benefit received in respect of the period before the eighth day of November, nineteen hundred and twenty, five contributions in respect of each week of benefit received.

4. Any time during which a person is under the provisions of the principal Act disqualified, otherwise than by reason of being in receipt of sickness or disablement benefit or disablement allowance under the National Health Insurance Acts, 1911 to 1922, for receiving benefit shall be excluded in the computation of continuous periods of unemployment under this Part of this Schedule.

5. A period of unemployment shall not be deemed to commence until the date on which the insured contributor makes application for benefit in the prescribed manner :

Provided that regulations may be made under section thirty-five of the principal Act for authorising some earlier date to be substituted for the date of the application in cases in which good cause is shown for delay in making the application.

Part II.

Section 2.

Weekly Rates of Unemployment Benefit.

Class of Persons to whom Rate applies.	Rate of Benefit.
	s. *d.*
Men - - - - - - - - - - -	18 0
Women - - - - - - - - - -	15 0
Boys who have attained the age of sixteen years, but are under the age of eighteen years - - - - -	7 6
Girls who have attained the age of sixteen years, but are under the age of eighteen years - - - -	6 0

SECOND SCHEDULE.

Section 15.

Minor and Consequential Amendments.

Enactment to be amended.	Amendment.
The Unemployment Insurance Act, 1920:	
Section 5 (5) -	At the end of the subsection there shall be inserted the words "nor in respect "of any blind person who is in receipt "of a pension under those Acts as "extended by section one of the Blind "Persons Act, 1920." 10 & 11 Geo. 5. c. 49.
Section 7 (2) (*a*) -	After the words "the remuneration," wherever they occur, there shall be inserted the words "or profit," and after the words "is payable" there shall be inserted the words "or is earned."
Section 8 (2) -	The words "not being less than one week" shall be repealed.
Section 8 (4) -	The words from the beginning to "this "Act and" shall be repealed.

Enactment to be amended.	Amendment.
The Unemployment Insurance Act, 1920—*continued.*	
Section 8 (5) -	At the end of the subsection there shall be inserted the words " or under those " Acts as extended by section one of " the Blind Persons Act, 1920."
Section 10 (1) (*c*) -	After the words " who is " there shall be inserted the words " or was."
Section 11 (3) -	Leave out " if so requested by the Court " of Referees."
Section 17 (1) -	For the words " exceeds by at least five " shillings per week in the case of men, " four shillings per week in the case of " women, two shillings and sixpence " per week in the case of boys, and two " shillings per week in the case of girls," there shall, as from the first day of October, nineteen hundred and twenty-five, be substituted the words " exceeds " in respect of periods of unemployment " amounting in the aggregate to not " less than thirteen weeks in a period " of twelve months by at least five " shillings per week in the case of men, " four shillings per week in the case of " women, two shillings and sixpence " per week in the case of boys, and two " shillings per week in the case of girls, " and in respect of any further periods " of unemployment in the same period " of twelve months by at least half the " several amounts aforesaid."
Section 22 (7) -	After the words " within the meaning of " this Act or not " there shall be inserted the words " or as to who is or " was the employer of an employed " person."
Section 28 (1) -	After the words " had not been paid " there shall be inserted the words " and " the regulations may provide, in the " case of contributions paid by an " employer on behalf of the employed " person and not recovered from him, " for the return under this section " being made to the employer instead " of to the employed person."

Enactment to be amended.	Amendment.
The Unemployment Insurance (No. 2) Act, 1921:	
Section 10 - -	For the words "the statutory condition "that he is capable of and available "for work but unable to obtain suitable "employment" there shall be substituted the words "the third or the "fourth statutory condition."
The Unemployment Insurance Act, 1923:	
Section 5 (1) -	For the words "less than three" there shall be substituted the words "not "more than six."
Section 11 (1) -	For the words "beginning of the second "benefit year" there shall be substituted the words "first day of October, "nineteen hundred and twenty-five."

THIRD SCHEDULE.

Section 16.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
10 & 11 Geo. 5. c. 30.	The Unemployment Insurance Act, 1920.	Section two, subsection (7), of section eighteen, section twenty-five subject to the provisions of this Act, in paragraph (*e*) of subsection (1) of section forty-seven the words from "and (iii) for" to the end of the paragraph, and the Second Schedule.

Session and Chapter.	Short Title.	Extent of Repeal.
11 & 12 Geo. 5. c. 1.	The Unemployment Insurance Act, 1921.	Sections one and three, section nine except subsection (5) thereof, the First Schedule, and so much of the Second Schedule as amends sections seventeen and eighteen and the Second Schedule of the principal Act.
11 & 12 Geo. 5. c. 15.	The Unemployment Insurance (No. 2) Act, 1921.	The whole Act, except section four, sections nine to thirteen and sections fifteen and sixteen.
12 & 13 Geo. 5. c. 7.	The Unemployment Insurance Act, 1922.	Sections three, four, five, six, twelve and fifteen, and subsection (4) of section sixteen.
13 & 14 Geo. 5. c. 2.	The Unemployment Insurance Act, 1923.	Sections one, two, three, seven and ten.
14 Geo. 5. c. 1.	The Unemployment Insurance Act, 1924.	The whole Act.

CHAPTER 31.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and twenty-five, and to appropriate the Supplies granted in this Session of Parliament.

[7th August 1924.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the

King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Grant out of Consolidated Fund.

Issue of 246,640,519*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-five, the sum of two hundred and forty-six million six hundred and forty thousand five hundred and nineteen pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole two hundred and forty-six million six hundred and forty thousand five hundred and nineteen pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-five, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of four

hundred and seventeen million six hundred and forty-two thousand two hundred and seventy-eight pounds, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the services and purposes expressed in Schedule (B) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

54 & 55 Vict. c. 24.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the air services respectively be not exceeded.

4.—(1) So long as the aggregate expenditure on naval and air services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and air services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and air expenditure for 1922–1923 unprovided for. 12 & 13 Geo. 5. c. 32.

5. Whereas under the powers given for the purpose by the Appropriation Act, 1922, surpluses arising on certain votes for the navy and air services respectively have been applied as shown in the account set out in Schedule (C) to this Act:

It is enacted that the application of those surpluses as shown in the said account is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for half-pay or army, navy, air force, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by the warrant:

Provided that the Treasury may dispense with the production of a declaration under this section in respect of any payment if such a declaration has been subscribed within a period of seven calendar months preceding the date of the payment.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1924.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

Section 3.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund -	417,642,278	0	0

Section 3.

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1922–1923–1924.	£	s.	d.	£	s.	d.
Part 1. Civil Service Excess, 1922–1923 - - -	10	0	0	1,840	10	8
„ 2. Civil Services (Supplementary), 1923–1924 -	8,723,739	0	0	12,600	0	0
„ 3. Revenue Departments (Supplementary), 1923–1924 - - - - -	10	0	0	—		
1924–1925.						
Part 4. Navy - - - - -	55,800,000	0	0	3,893,251	0	0
„ 5. Army - - - - -	45,000,000	0	0	9,480,000	0	0
Army (Ordnance Factories) - - -	100	0	0	3,362,100	0	0
„ 6. Air - - - - -	14,861,000	0	0	4,881,000	0	0
£	115,661,100	0	0	21,616,351	0	0
Part 7. Civil Services, Class I. -	6,750,791	0	0	680,790	0	0
„ 8. Civil Services, Class II. -	10,517,361	0	0	8,351,372	0	0
„ 9. Civil Services, Class III. -	11,645,562	0	0	1,653,928	0	0
„ 10. Civil Services, Class IV. -	49,859,078	0	0	2,864,036	0	0
„ 11. Civil Services, Class V. -	9,143,091	0	0	749,170	0	0
Carried forward - £	87,915,883	0	0	14,299,296	0	0

SCHEDULE (B.)—APPROPRIATION OF GRANTS—*cont.*

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
	£	*s.*	*d.*	£	*s.*	*d.*
Brought forward -	87,915,883	0	0	14,299,296	0	0
Part 12. Civil Services, Class VI. -	97,650,088	0	0	2,359,551	0	0
„ 13. Civil Services, Class VII. -	36,222,534	0	0	4,370,970	0	0
„ 14. Civil Services, Unclassified	9,167,010	0	0	8,113,580	0	0
TOTAL CIVIL SERVICES - £	230,955,515	0	0	29,143,397	0	0
Part 15. Revenue Departments, &c. -	62,301,904	0	0	2,418,799	0	0
GRAND TOTAL - £	417,642,278	0	0	53,192,987	10	8

SCHEDULE (A.)

SCHED. (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	*s.*	*d.*
For the service of the year ended on the 31st day of March 1923 :—			
Under Act 14 Geo. 5. c. 4 - - -	10	0	0
For the service of the year ending on the 31st day of March 1924 :—			
Under Act 14 Geo. 5. c. 2 - - -	2,958,020	0	0
Under Act 14 Geo. 5. c. 4 - - -	5,765,729	0	0
For the service of the year ending on the 31st day of March 1925 :—			
Under Act 14 Geo. 5. c. 4 - - -	162,278,000	0	0
Under this Act - - - - -	246,640,519	0	0
TOTAL - - - -	417,642,278	0	0

SCHED. (B.) PART 1. Civil Service Excess, 1922–1923. (Appropriations-in-Aid.)

SCHEDULE (B.)—PART 1.

CIVIL SERVICE EXCESS, 1922–1923.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£ s. d.	£ s. d.
Sum granted to make good an excess on the grant for the Bankruptcy Department of the Board of Trade for the year ended on the 31st day of March 1923 - - - -	10 0 0	1,840 10 8

SCHED. (B.) PART 2. Civil Services (Supplementary), 1923–1924.

SCHEDULE (B.)—PART 2.

CIVIL SERVICES (SUPPLEMENTARY), 1923–1924.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1924, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.		
CLASS I.	£	£
For expenditure in respect of the royal parks and pleasure gardens - -	34,500	600
CLASS II.		
For the salaries and expenses of the Ministry of Agriculture and Fisheries including loans to agricultural co-operative societies, grants for agricultural education and research, grants in aid of the small holdings account and the cattle pleuro-pneumonia account for Great Britain, and certain other grants in aid; and of the Royal Botanic Gardens, Kew	2,958,010	—
Carried forward - £	2,992,510	600

SCHEDULE (B.)—PART 2—*continued.*

CIVIL SERVICES—*cont.*	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	2,992,510	600
CLASS II.—*cont.*		
For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, expenses under the Private Legislation (Procedure) Scotland Act, 1899, a subsidy for steamer services to the Hebrides, and grants in respect of unemployment schemes - - - - -	10	—
For the salaries and expenses of the Board of Agriculture for Scotland, including loans to agricultural co-operative societies, grants for agricultural education and training, certain grants in aid, and certain services arising out of the war -	10	—
For the salaries and expenses of the office of the Lord Privy Seal - -	569	—
CLASS III.		
For certain miscellaneous legal expenses, for the salaries and expenses of arbitrators, &c., under the Acquisition of Land (Assessment of Compensation) Act, 1919, for the salaries and expenses of the War Compensation Court under the Indemnity Act, 1920, for the payment of compensation and legal, &c., expenses under the Restoration of Order in Ireland (Indemnity) Act, 1923, and for a grant in aid of the expenses of the Incorporated Law Society of England - - - - - -	64,200	—
Carried forward - £	3,057,299	600

SCHED. (B.) PART 2.
Civil Services (Supplementary), 1923–24.

SCHEDULE (B.)—PART 2—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	3,057,299	600
CLASS V.		
For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote including the transport and relief of refugees in the Near East and the relief of distress in Japan - - - - -	168,460	10,500
For sundry Colonial Services including a grant in aid of railway expenditure in Kenya and Uganda, and certain other grants in aid - - - - -	3,606,504	—
CLASS VI.		
For the payment of Old Age Pensions, for certain administrative expenses in connection therewith, and for pensions under the Blind Persons Act, 1920 - - - - - -	100,000	1,500
For expenditure in connection with Ex-Service Officers and Men in Ireland, including grants for education and re-settlement, pensions appeal tribunals, and a grant in aid to the Irish Sailors and Soldiers Land Trust - - - - - -	10	—
For expenditure in connection with a British Government exhibit and sundry displays at the British Empire Exhibition, 1924 - -	118,000	—
Carried forward - £	7,050,273	12,600

SCHEDULE (B.)—PART 2—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	7,050,273	12,600
CLASS VII.		
For the salaries and expenses of the Ministry of Health, including grants and other expenses in connection with housing, grants to local authorities, public utility companies, &c., sundry contributions and grants in respect of benefits and expenses of administration under the National Health Insurance Acts, 1911 to 1922, certain grants in aid, and certain special services arising out of the war - - - - - - -	10	—
For the salaries and expenses of the Scottish Board of Health, including grants and other expenses in connection with housing, grants to local authorities, &c., sundry contributions and grants in respect of benefits and expenses of administration under the National Health Insurance Acts, 1911 to 1922, certain grants in aid, and certain special services arising out of the war - - - - - -	10	—
UNCLASSIFIED SERVICES.		
For relief arising out of unemployment, including grants in aid - - -	730,100	—
Carried forward - £	7,780,393	12,600

SCHED. (B.) PART 2. Civil Services (Supplementary), 1923–24.

SCHEDULE (B.)—PART 2—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	7,780,393	12,600
UNCLASSIFIED SERVICES—*cont.*		
For the payment of compensation for criminal injuries, medical and nursing expenses of Crown employees who have been maliciously injured, advances in respect of prospective awards of compensation for criminal injuries and of arrears of rent and other sums payable under the Land Act, 1923, of the Irish Free State, and grant to refugees for the relief of distress - - - - - -	10	—
For grants in aid of Northern Ireland, including compensation for damage arising out of the disturbed condition of Ireland and provision of buildings and assignment of assets under the Government of Ireland Act, 1920 -	943,336	—
Total Civil Services - -	8,723,739	12,600

SCHED. (B.) PART 3. Revenue Departments (Supplementary), 1923–24.

SCHEDULE (B.)—PART 3.

REVENUE DEPARTMENTS (SUPPLEMENTARY), 1923–1924.

SCHEDULE OF SUPPLEMENTARY SUMS granted to defray the charges for the SERVICES herein particularly mentioned for the year ended on the 31st day of March 1924, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
For the salaries and expenses of the Post Office including telegraphs and telephones - - - - -	£ 10	£ —

SCHEDULE (B.)—PART 4.

SCHED. (B.) PART 4. Navy.

NAVY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For wages, &c., to 100,500 officers, seamen, and boys, and royal marines - - - - - -	14,245,000	87,900
2.	For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad - - -	4,258,100	919,026
3.	For medical services, including the cost of medical establishments at home and abroad - - -	462,500	31,739
4.	For civilians employed on fleet services - - - - - -	181,200	1,186
5.	For educational services - -	341,800	56,943
6.	For scientific services - - -	440,000	58,472
7.	For the royal naval reserve, the royal fleet reserve, and the royal naval volunteer reserve, &c. -	491,500	2,025
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad - -	7,045,000	65,083
„	Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad - -	5,397,900	1,920,000
„	Sect. 3. For contract work for shipbuilding, repairs, &c. - -	5,820,300	114,972
	Carried forward - £	38,683,300	3,257,346

SCHED. (B.) PART 4. Navy.

SCHEDULE (B.)—PART 4—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward -	38,683,300	3,257,346
No. 9. For naval armaments (including wages, &c., of 287 Marine Pensioner Police) - - - - -	3,975,500	360,293
10. For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith - - - - - -	3,080,000	150,000
11. For various miscellaneous effective services - - - - - -	856,100	68,990
12. For the Admiralty Office - -	1,229,500	5,776
13. For non-effective services (naval and marine)—officers - -	2,884,300	18,867
14. For non-effective services (naval and marine)—men - - -	4,253,500	31,555
15. For civil superannuation, compensation allowances and gratuities	837,800	424
TOTAL NAVY SERVICES - £	55,800,000	3,893,251

SCHEDULE (B.)—PART 5.

SCHED. (B.) PART 5. Army.

ARMY.

SCHEDULE of estimated gross and net expenditure in respect of ARMY SERVICES in respect of the year ending on the 31st day of March 1925; and of the sums granted, and the sums which may be applied as appropriations in aid in addition thereto, to defray the charges which will come in course of payment during that year in respect of the said services, and of the liabilities outstanding on the first day of the said year:—

Heads.	Sums not exceeding		
	Gross.	Receipts.	Net.
Head.	£	£	£
I. Maintenance of Standing Army -	24,502,600	293,600	24,209,000
II. Territorial Army and Reserve Forces - - - - -	7,043,500	10,500	7,033,000
III. Educational, &c., Establishments and Working Expenses of Hospitals, Depôts, &c. - -	7,456,900	678,900	6,778,000
IV. War Office, Staff of Commands, &c. - - - - -	2,402,750	4,750	2,398,000
V. Capital Accounts - - -	*Cr. 50,700*	1,650,300	*Cr. 1,701,000*
VI. Terminal and Miscellaneous Charges and Receipts - -	4,735,750	4,994,750	*Cr. 259,000*
VII. Half Pay, Retired Pay, Pensions, and Civil Superannuation -	9,123,700	1,289,700	7,834,000
Total - - - £	55,214,500	8,922,500	46,292,000
Repayment by the Colonial Office for expenditure (included above) in the Middle East - - - - - -	—	398,000	*Cr. 398,000*
GRAND TOTAL - £	55,214,500	9,320,500	45,894,000

SCHED. (B.) PART 5. Army.

SCHEDULE (B.)—PART 5—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Estimated Cash required for Army Services in 1924–25 - - -	45,000,000	—
Estimated Receipts to be appropriated in Aid of Army Services in 1924–25 - - - - - -	—	9,480,000
ARMY (ORDNANCE FACTORIES).		
For the Ordnance Factories, the cost of the production of which will be charged to the Army, Navy, Air Force, &c. - - - - -	100	3,362,100

SCHED. (B.) PART 6. Air.

SCHEDULE (B.)—PART 6.

AIR.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the AIR SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the pay, &c. of 35,000 of all ranks of the Air Force - -	2,941,000	1,139,000
2. For the quartering, stores (except technical), supplies, and transport of the Air Force - -	1,452,000	941,000
Carried forward - £	4,393,000	2,080,000

SCHEDULE (B.)—PART 6—*continued.*

SCHED. (B.) PART 6. Air.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward -	4,393,000	2,080,000
3.	For technical and warlike stores of the Air Force (including experimental and research services) (including a supplementary sum of 350,000*l.*) - - - - -	6,050,000	1,655,000
4.	For works, buildings, repairs, and lands of the Air Force, including civilian staff, and other charges connected therewith - - -	2,127,000	873,000
5.	For the medical services of the Air Force - - - - -	195,000	177,500
6.	For the educational services of the Air Force - - - - -	480,000	17,500
7.	For auxiliary and reserve forces of the Air Force - - - -	284,000	400
8.	For Civil Aviation - - -	355,000	13,000
9.	For the meteorological and miscellaneous effective services of the Air Force - - - -	134,000	62,000
10.	For the Air Ministry - - -	710,000	1,000
11.	For rewards, half-pay, retired pay, widows' pensions, and other non-effective services of the Air Force	133,000	1,600
	TOTAL AIR SERVICES £	14,861,000	4,881,000

SCHED. (B.) PART 7. Civil Services. Class I.

SCHEDULE (B.)—PART 7.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For expenditure in respect of royal palaces, including a grant in aid	106,685	9,750
2.	For expenditure in respect of Osborne - - - - - -	15,795	5,515
3.	For expenditure in respect of the royal parks and pleasure gardens	207,335	29,350
4.	For expenditure in respect of the Houses of Parliament buildings -	76,640	300
5.	For expenditure in respect of miscellaneous legal buildings, Great Britain - - - - - -	80,435	1,020
6.	For expenditure in respect of Art and Science buildings, Great Britain (including a supplementary sum of 10*l.*) - -	317,940	7,500
7.	For expenditure in respect of diplomatic and consular buildings (including a supplementary sum of 25,850*l.*) - - - - -	235,030	5,415
8.	For expenditure in respect of Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad -	1,189,970	14,150
	Carried forward - £	2,229,830	73,000

SCHEDULE (B.)—PART 7—*continued.*

SCHED. (B.) PART 7. Civil Services. Class I.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward -	2,229,830	73,000
No. 9. For expenditure in respect of Employment Exchange, and Insurance buildings, Great Britain (including Ministries of Labour and Health) - - - - -	543,490	27,000
10. For expenditure in respect of sundry public buildings in Great Britain not provided for in other Votes, including Historic Buildings, Ancient Monuments and Brompton Cemetery (including a supplementary sum of £15,000) - - - - -	1,784,180	191,500
10A. For expenditure in respect of the erection of houses by the Office of Works on behalf of Local Authorities proceeding with assisted Housing Schemes approved by the Ministry of Health in accordance with the provisions of the Housing, Town Planning, &c. Act, 1919 - - - -	10	34,990
10B. For expenditure in respect of Housing schemes under the management of the Office of Works - - - - -	105,110	212,750
Carried forward - £	4,662,620	539,240

SCHED. (B.) PART 7. Civil Services. Class I.

SCHEDULE (B.)—PART 7—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - - -	4,662,620	539,240
No. 11. For the expenses of the survey of Great Britain, and for minor services connected therewith -	170,750	76,050
12. For the expenses of constructing a new harbour of refuge at Peterhead - - - - -	32,000	—
13. For rates and contributions in lieu of rates, &c., in respect of Government property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the Rating of Government Property Department, and for a contribution towards the expenses of the London Fire Brigade - -	1,691,281	64,000
14. For expenditure in respect of public works and buildings in Ireland - - - -	194,140	1,500
TOTAL CIVIL SERVICES, CLASS I. £	6,750,791	680,790

SCHEDULE (B.)—Part 8.

Sched. (B.) Part 8. Civil Services. Class II.

CIVIL SERVICES.—Class II.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the offices of the House of Lords - - - - - -	58,103	1,500
2.	For the salaries and expenses of the House of Commons (including a supplementary sum of £70,000)	399,813	13,500
3.	For the salaries and other expenses in the department of His Majesty's Treasury and subordinate departments - - - - - -	316,495	30,575
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices, including Liquidation Expenses of the Royal Irish Constabulary and extra-statutory contributions towards the expenses of a system of Probation -	406,072	62,976
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs, including the News Department - - - - - -	177,594	121,953
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies - - - - - -	173,031	24,044
	Carried forward - £	1,531,108	254,548

SCHED. (B) PART 8. Civil Services. Class II.

SCHEDULE (B.)—PART 8—*continued.*

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward -	1,531,108	254,548
7.	For a contribution towards the cost of the department of His Majesty's Secretary of State for India in Council, including a grant in aid	120,000	—
8.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council -	10,306	4,750
9.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments, including certain Services arising out of the War, and grants in aid -	538,264	2,830,974
10.	For the salaries and expenses of the Department of Overseas Trade - - - - -	300,282	87,278
11.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine, including the Coastguard, General Register and Record Office of Shipping and Seamen, Merchant Seamen's Fund Pensions and grants to the General Lighthouse Fund and other Lighthouse Authorities -	436,321	305,761
12.	For meeting the deficiency of income from fees, &c., for the requirements of the Board of Trade, under the Bankruptcy Act, 1914	10	175,285
13.	For the salaries and expenses of the Mines Department of the Board of Trade - - - -	168,429	6,482
	Carried forward - £	3,104,720	3,665,078

SCHEDULE (B.)—PART 8—*continued.*

SCHED. (B.) PART 8. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
	Brought forward - -	3,104,720	3,665,078
14.	For the salaries and expenses of the Ministry of Agriculture and Fisheries, including loans to agricultural co-operative societies, grants for Agricultural Education and Research, a grant in aid of the Small Holdings Account, and certain other grants in aid; and of the Royal Botanic Gardens, Kew	2,018,138	527,818
15.	For a grant in aid of the Forestry Fund (including a supplementary sum of 275,000*l.*) - -	453,000	—
16.	For the salaries and expenses of the Ministry of Transport under the Ministry of Transport Act, 1919, expenses of the Railway Rates Tribunal under the Railways Act, 1921, expenses in respect of advances under the Light Railways Act, 1896, expenses of maintaining Holyhead Harbour, advances to meet deficit in Ramsgate Harbour Fund, and advances to Caledonian and Crinan Canals - -	136,633	118,800
17.	For the salaries and expenses of the Charity Commission for England and Wales - - - -	43,568	—
18.	For the salaries and expenses of the Department of the Government Chemist - - - -	53,900	—
19.	For the salaries and expenses of the Civil Service Commission -	64,947	—
20.	For the salaries and expenses of the department of the Comptroller and Auditor General -	153,100	6,049
21.	For the salaries and expenses of the Registry of Friendly Societies	45,495	4,000
	Carried forward - £	6,073,501	4,321,745

SCHED. (B.) PART S.
Civil Services. Class II.

SCHEDULE (B.)—PART 8—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	6,073,501	4,321,745
No.		
22. For the salaries and expenses of the department of the Government Actuary - - - - -	37,916	—
23. For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England, and grants in respect of the maintenance of certain ex-service mental patients - - - - - -	516,932	8,820
24. For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals - - -	500,000	2,273,000
25. For the salaries and expenses of the National Debt Office - -	17,654	14,750
26. For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments - -	36,816	—
27. For the salaries and expenses of the establishment under the Public Works Loan Commissioners -	10	25,017
28. For the salaries and expenses of the department of the Registrar General of Births, &c., including the expense of the Census of England and Wales, 1921 - -	87,429	20,250
29. For the salaries and expenses of the State Management Districts, including the salaries of the central office and the cost of acquisition and management of licensed premises - - -	100	758,075
Carried forward - £	7,270,358	7,421,657

SCHEDULE (B.)—PART 8—*continued.*

SCHED. (B.) PART 8. Civil Services. Class II.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	7,270,358	7,421,657
No. 30. For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates -	1,449,481	710,000
31. For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues, including bonus to Commissioner - - - - -	27,430	—
32. For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings - - -	569,120	55,950
33. For His Majesty's foreign and other secret services - - - -	180,000	—
34. For the salaries and expenses of the office of the Lord Privy Seal	6,700	—
35. For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, expenses under the Private Legislation Procedure (Scotland) Act, 1899; a subsidy for steamer services to the Hebrides; and grants in respect of unemployment schemes - - - -	223,916	5,580
Carried forward - £	9,727,005	8,193,187

SCHED. (B.) PART 8. Civil Services. Class II.

SCHEDULE (B.)—PART 8—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	9,727,005	8,193,187
No.		
36. For the salaries and expenses of the Board of Agriculture for Scotland, including grants for agricultural education and training, loans to co-operative societies, expenditure in connection with the supply of seed oats and seed potatoes, certain grants in aid and certain services arising out of the war - - - -	446,692	143,950
37. For the salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays and of marine superintendence (including a supplementary sum of 150,000*l.* for loans to herring fishermen for the purchase of drift nets) -	210,790	9,585
38. For the salaries and expenses of the General Board of Control for Scotland and grants in respect of the maintenance of certain ex-service mental patients -	71,415	550
39. For the salaries and expenses of the department of the Registrar General of Births, &c., in Scotland - - - - - -	15,379	1,600
40. For certain Northern Ireland services, including expenditure in connection with ex-service officers and men in Northern Ireland - - - - -	46,080	2,500
TOTAL CIVIL SERVICES, CLASS II. - £	10,517,361	8,351,372

SCHEDULE (B.)—PART 9.

SCHED. (B.) PART 9. Civil Services. Class III.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries of the law officers department, the salaries and expenses of the departments of His Majesty's Procurator-General, and of the Solicitor for the Affairs of His Majesty's Treasury, and of the department of the Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency - - - - -	237,237	40,000
2.	For certain miscellaneous legal expenses, for the salaries and expenses of Arbitrators, &c., under the Acquisition of Land (Assessment of Compensation) Act, 1919, for the salaries and expenses of the War Compensation Court under the Indemnity Act, 1920, and for a grant in aid of the expenses of the Incorporated Law Society of England - - - - -	56,983	—
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund, including bonus on certain statutory salaries, and the salaries and expenses of Pensions Appeals Tribunals -	455,438	133,380
	Carried forward - £	749,658	173,380

SCHED. (B). PART 9. Civil Services. Class III.

SCHEDULE (B.)—PART 9—*continued.*

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward -	749,658	173,380
4.	For the salaries and expenses of the office of Land Registry -	93,918	—
5.	For the salaries and expenses of the office of Public Trustee -	10	314,004
6.	For the salaries and expenses connected with the County Courts, including bonus to County Court Judges - - - - -	25,492	550,000
7.	For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, bonus to Metropolitan Police Magistrates, the contribution towards the expenses of the Metropolitan Police, the salaries and expenses of the Inspectors of Constabulary, and other Grants in respect of Police Expenditure, including places of detention and a grant in aid of the Police Federation - -	6,115,336	180
8.	For the expenses of the prisons in England and Wales - - -	1,071,492	285,000
9.	For the salaries and expenses of the office of the Inspector of Reformatories and for grants in respect of the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools, in auxiliary homes in England and Wales, and whilst under supervision - - -	384,750	23,075
	Carried forward - £	8,440,656	1,345,639

SCHEDULE (B.)—PART 9—*continued.*

SCHED. (B.) PART 9. Civil Services. Class III.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
	Brought forward -	8,440,656	1,345,639
10.	For the expense of the maintenance of criminal lunatics in the Broadmoor Criminal Lunatic Asylum -	78,184	4,689
11.	For the salaries and expenses of the Lord Advocate's department and other law charges, the salaries and expenses of the Courts of Law and Justice and of Pensions Appeals Tribunals in Scotland, and bonus on certain statutory salaries - - - - - -	122,570	108,000
12.	For the salaries and expenses of the office of the Scottish Land Court, including bonus to members of the Court - -	10,996	—
13.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - - - - - -	75,500	—
14.	For grants in respect of Police Expenditure and for a grant in aid of the Police Federation in Scotland - - - - - -	750,200	—
15.	For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics, defectives, and inmates of the State inebriate reformatory, the preparation of judicial statistics, and a grant for certain expenses connected with discharged prisoners - -	181,377	28,050
	Carried forward - £	9,659,483	1,486,378

SCHED. (B.) PART 9. Civil Services. Class III.

SCHEDULE (B.)—PART 9—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	9,659,483	1,486,378
No. 16. For the expense of the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools, and in auxiliary homes in Scotland, including the expenses of collection of parental contributions - - - - -	83,119	3,500
17. For such of the salaries and expenses of the Supreme Court of Judicature of Northern Ireland, and of the Land Registry of Northern Ireland, as are not charged on the Consolidated Fund, and other expenses	46,120	500
18. For the salaries and expenses of the Land Purchase Commission in Northern Ireland, including the payment of Land Purchase Annuities in Northern Ireland and the expenses of certain Land Purchase Services in the Irish Free State reserved as an imperial liability - -	1,856,840	163,550
TOTAL CIVIL SERVICES, CLASS III. £	11,645,562	1,653,928

SCHEDULE (B.)—PART 10.

SCHED. (B.) PART 10. Civil Services. Class IV.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz. :—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid (including a supplementary sum of 10*l.*) - -	41,900,010	2,360,626
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid - -	301,793	18,041
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures -	31,497	4,370
4.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits - - -	7,823	831
5.	For the salaries and expenses of the Wallace Collection - - -	11,743	1,850
6.	For the salaries and expenses in respect of the London Museum, Lancaster House - - -	4,740	1,043
7.	For the salaries and expenses of the Imperial War Museum - -	14,380	600
	Carried forward - £	42,271,986	2,387,361

SCHED. (B.) PART 10. Civil Services. Class IV.

SCHEDULE (B.)—PART 10—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward -	42,271,986	2,387,361
No. 8. For sundry grants in aid of scientific investigation, &c., and other grants - - - - - -	201,450	—
9. For the salaries and expenses of the Department of Scientific and Industrial Research, the Fuel Research Board, the Geological Survey of Great Britain, the Museum of Practical Geology, and the National Physical Laboratory, including certain grants in aid - - - - - -	328,281	130,680
10. For grants in aid of the expenses of certain Universities, Colleges, Medical Schools, &c., in Great Britain, and of the expenses under the Welsh Intermediate Education Act, 1889 - - -	1,272,970	—
11. For public education in Scotland, and for Science and Art in Scotland, including a grant in aid -	5,773,495	345,830
12. For the salaries and expenses of the National Gallery, Scotland, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid - - - -	10,896	165
TOTAL CIVIL SERVICES, CLASS IV. - - - - £	49,859,078	2,864,036

SCHED. (B.) PART II.

Civil Services. Class V.

SCHEDULE (B.)—PART II.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote, including a gift to the Imperial University at Tokyo, relief of refugees in the Near East, and certain special grants	1,190,178	587,170
2.	For sundry colonial services, including expenditure in connection with ex-service men in the Irish Free State and certain grants in aid - - - -	1,263,413	112,000
3.	For the expenses connected with Oversea Settlement, including certain grants in aid and expenses arising out of the Empire Settlement Act, 1922, and the Free Passage Scheme for ex-service men and women - - -	886,000	50,000
4.	For sundry Middle Eastern services under His Majesty's Secretary of State for the Colonies including a grant in aid - - - -	5,719,000	—
5.	For a subsidy to the West India and Panama Telegraph Company	6,000	—
6.	For a grant in aid of the expenses of the League of Nations and for other expenses in connection therewith, including British Representation before the Permanent Court of International Justice also a supplementary sum of 5,000*l.* for a grant in aid of relief of distress in Albania -	78,500	—
	TOTAL CIVIL SERVICES, CLASS V. - - - - £	9,143,091	749,170

SCHED. (B.) PART 12. Civil Services. Class VI.

SCHEDULE (B.)—PART 12.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For superannuation, compensation, compassionate and additional allowances and gratuities under sundry Statutes, for compassionate allowances, gratuities and supplementary pensions awarded by the Treasury, and, under the Government of Ireland Act, 1920, by the Civil Service Committee; and for the salaries of medical referees - - - - - -	1,418,712	108,089
2.	For the expenses of pensions, compensation allowances, and gratuities awarded to retired and disbanded members and staff of the Royal Irish Constabulary, and to widows and children of such members, including annuities to the National Debt Commissioners in respect of commutation of compensation allowances and certain extra statutory payments - -	658,263	1,279,862
3.	For Old Age Pensions, for certain administrative expenses in connection therewith, and for pensions under the Blind Persons Act, 1920 (including a supplementary sum of 2,000,000*l.*) -	26,201,000	6,000
	Carried forward - £	28,277,975	1,393,951

SCHEDULE (B.)—PART 12—*continued.*

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward -	28,277,975	1,393,951
4.	For the salaries and expenses of the Ministry of Pensions, and for sundry contributions in respect of the administration of the Ministry of Pensions Act, 1916, and the War Pensions Acts, 1915 to 1921, and sundry services -	66,947,810	66,000
5.	For War pensions and allowances (including cost of treatment) to merchant seamen and fishermen and their dependants, and the administrative expenses connected therewith - - -	486,525	—
6.	For certain miscellaneous expenses, including certain grants in aid and bonus on certain statutory salaries - - - - -	8,593	11,800
7.	For the salaries and other expenses of Royal Commissions, Committees, and Special Inquiries, &c., including provision for Shorthand and the expenses of surplus stores, &c., liquidation - -	70,000	799,990
8.	For the salaries and expenses of the National Savings Committee	81,663	—
9.	For certain salaries and expenses of the Imperial War Graves Commission, including purchase of land in the United Kingdom, and a grant in aid of the Imperial War Graves Commission Fund formed under Royal Charter, 10th May 1917 - - - -	954,500	—
	Carried forward - £	96,827,066	2,271,741

SCHED. (B.) PART 12. Civil Services. Class VI.

SCHEDULE (B.)—PART 12—*continued.*

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward -	96,827,066	2,271,741
10.	For making good certain sums written off from the assets of the Local Loans Fund, together with certain sums due in respect of advances in Northern Ireland -	105,200	—
11.	For expenses under the Representation of the People Act, 1918 -	306,000	—
12.	For a grant-in-aid of the Development Fund - - - - -	200,000	—
13.	For expenditure in connection with the British Government Exhibit and sundry displays at the British Empire Exhibition, 1924 - - - - - -	57,000	87,810
14.	For a grant-in-aid of the mission of His Royal Highness the Prince of Wales to South Africa	13,000	—
15.	For a grant-in-aid of the Irish Sailors and Soldiers Land Trust	100,000	—
16.	For repayment to the Civil Contingencies Fund of certain miscellaneous advances - -	41,822	—
	TOTAL CIVIL SERVICES, CLASS VI. £	97,650,088	2,359,551

SCHEDULE (B.)—Part 13.

Sched. (B.) Part 13.

Civil Services. Class VII.

CIVIL SERVICES.—Class VII.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Ministry of Health; including grants and other expenses in connection with Housing, grants to local authorities, public utility companies, &c., sundry grants in respect of benefits and expenses of administration under the National Health Insurance Acts, 1911 to 1922, certain grants in aid, and certain special services arising out of the war - - - -	19,486,861	197,610
2.	For the salaries and expenses of the Scottish Board of Health, including grants and other expenses in connection with Housing, grants to local authorities, &c., sundry grants in respect of benefits and expenses of administration under the National Health Insurance Acts, 1911 to 1922, certain grants in aid, and certain special services arising out of the war - -	2,497,832	81,396
	Carried forward - £	21,984,693	279,006

SCHED. (B.) PART 13. Civil Services. Class VII.

SCHEDULE (B.)—PART 13—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward -	21,984,693	279,006
No. 3. For the salaries and expenses of the Ministry of Labour and Subordinate Departments, including the contributions to the Unemployment Fund, and to special schemes and payments to associations, and Local Education Authorities for administration under the Unemployment Insurance Acts; expenditure in connection with the training of demobilised officers, non-commissioned officers and men and nurses; grants for resettlement in civil life; and the expenses of the Industrial Court; also expenses in connection with the International Labour Organisation (League of Nations) including a grant in aid - - -	14,060,339	4,089,964
4. For the salaries and expenses of the audit staff under the National Insurance Act, 1911 - - -	171,160	2,000
5. For making good the deficiency on the Income Account of the Fund for Friendly Societies -	6,342	—
TOTAL CIVIL SERVICES, CLASS VII. - £	36,222,534	4,370,970

SCHEDULE (B.)—PART 14.

SCHED. (B.) PART 14. Unclassified Services.

UNCLASSIFIED SERVICES.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For grants to local authorities, &c., in Great Britain for assistance in carrying out approved schemes of useful work to relieve unemployment - - - - -	845,000	—
2.	For relief arising out of unemployment, including a grant in aid -	2,385,000	—
3.	To provide for guarantees in respect of exports of goods wholly or partly produced or manufactured in the United Kingdom -	200,000	100,000
4.	For compensation for criminal injuries, including advances on account of prospective awards, advances in respect of rent and other sums payable under the Land Act, 1923, of the Irish Free State, grants to refugees for the relief of distress, ex-gratia grants awarded in respect of damage to property sustained during the rebellion in Ireland in 1916, compensation for damage in the Free State done by Crown Forces, other than military forces, in the exercise of the Prerogative of the Crown in the Defence of the Realm or the Restoration of Order in Ireland, and compensation to certain former officers of local authorities in the Irish Free State - - - - - -	3,388,500	—
	Carried forward - £	6,818,500	100,000

SCHED. (B.) PART 14. Unclassified Services.

SCHEDULE (B.)—PART 14—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	6,818,500	100,000
No.		
5. For the salaries and expenses in connection with Shipping Liquidation - - - -	10	8,012,080
6. For expenditure arising from the Government control of railways and canals in Great Britain and Ireland under the Regulation of the Forces Act, 1871, section 16, and Defence of the Realm (Consolidation) Regulations, 9 H. -	498,500	1,500
7. To provide for the deficiency arising under the Coal Mines Control Agreement (Confirmation) Act, 1918, and for payments to the Coal Mines (Emergency) Act Account under the Coal Mines Emergency Acts, 1920 and 1921	500,000	—
8. For claims in respect of ships or cargoes condemned as naval prize or detained and certain salaries for advisory duties - - -	50,000	—
9. For grants in respect of compensation for suffering and damage by enemy action (including a supplementary sum of 800,000*l.*)	1,300,000	—
TOTAL UNCLASSIFIED CIVIL SERVICES £	9,167,010	8,113,580

SCHEDULE (B.)—PART 15.

SCHED. (B.) PART 15. Revenue Departments, &c.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1925; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Customs and Excise Department - - - - - -	4,740,000	267,000
2.	For the salaries and expenses of the Inland Revenue Department	6,480,804	44,370
3.	For the salaries and expenses of the Post Office, including Telegraphs and Telephones - -	51,081,100	2,107,429
	TOTAL REVENUE DEPARTMENTS - £	62,301,904	2,418,799

SCHED. (C.) Navy Services. Section 5.

SCHEDULE (C).

NAVY SERVICES, 1922–23. VOTES.	Excesses. £ s. d.	Surpluses applied. £ s. d.
1. Wages, &c. of Officers, Seamen and Boys, Coastguard and Royal Marines - -	50,338 8 6	—
8. Section III.—Contract Work for Shipbuilding, Repairs, Maintenance, &c. - -	703,519 7 2	—
11. Various Miscellaneous Effective Services - - -	248,111 5 8	—
13. Non-Effective Services (Naval and Marine) Officers - -	101,589 3 3	—
Balances irrecoverable - - -	29,679 5 8	—
Navy Votes generally - - -	—	8,524,547 19 6
	1,133,237 10 3	8,524,547 19 6
	NET SURPLUS £7,391,310 9 3	

SCHED. (C.) Air Services. Section 5.

AIR SERVICES, 1922–23. VOTES.	Excesses. £ s. d.	Surpluses applied. £ s. d.
2. Quartering Stores (except Technical), Supplies and Transport - - - - -	245,078 13 3	—
3. Technical and Warlike Stores -	136,693 15 5	—
6. Miscellaneous Effective Services	3,477 17 9	—
Balances irrecoverable - - -	11,603 8 5	—
Air Votes generally - - -	—	2,308,953 14 1
	396,853 14 10	2,308,953 14 1
	NET SURPLUS £1,912,099 19 3	

CHAPTER 32.

An Act to raise the percentages by which certain pensions may be increased under the Pensions (Increase) Act, 1920, to permit the payment of increased pensions under the said Act to pensioners residing outside the British Islands, and to require police, local and other public authorities to increase pensions granted by them up to the maximum amount authorised by the said Act.

[7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Additions to percentages by which pensions may be increased. 10 & 11 Geo. 5. c. 36.

1.—(1) As from the first day of July, nineteen hundred and twenty-three, the Schedule to the Pensions (Increase) Act, 1920 (hereinafter referred to as the principal Act), shall, as respects pensions not exceeding one hundred pounds payable out of moneys provided by Parliament or out of the Education (Scotland) Fund or by police, local or other public authorities in Great Britain, have effect and be deemed to have had effect as if the percentages by which existing pensions may be increased were—

(*a*) in the case of an existing pension not exceeding twenty-five pounds a year, seventy per cent. instead of fifty per cent.;

(*b*) in the case of an existing pension exceeding twenty-five pounds a year but not exceeding fifty pounds a year, sixty-five per cent. instead of fifty per cent.; and

(*c*) in the case of an existing pension exceeding fifty pounds a year but not exceeding one hundred pounds a year, fifty per cent. instead of forty per cent.

Provided that—

(i) Where the service, or branch of the service, from which the pensioner retired is a service

or branch of the service in which additional remuneration by way of bonus was paid on the said first day of July, and was reckoned for the purposes of pension, either in whole or in part, in the case of persons retiring from the said service or branch on that date, no addition shall be made to his pension by virtue of the increased percentages authorised by this section greater than such as may be sufficient to increase his pension to the pension of which he would have been in receipt on the second day of July, nineteen hundred and twenty-three, had such bonus been included amongst the salary and emoluments on which his pension was awarded and been reckoned for the purposes of pension to the extent to which it would have been reckoned if he had retired on the said first day of July.

(ii) Nothing in this Act shall affect the provisions of the said schedule other than those relating to such percentages as aforesaid.

(2) For the purposes of this section, "existing" means existing immediately before the passing of the principal Act.

Repeal of first statutory condition for increase of pension.

2. The first statutory condition for the increase of pensions under the principal Act (which provides that the pensioner must reside in the British Islands) shall cease to have effect.

Pensions granted by public authorities to be increased.

3.—(1) As from the first day of July, nineteen hundred and twenty-three, all pensions granted by a police, local or other public authority in Great Britain to pensioners to whom the principal Act applies and in whose case the conditions laid down by that Act are fulfilled, shall, so long as those conditions continue to be fulfilled, be increased by the pension authority up to the maximum amount authorised by the principal Act as amended by this Act.

(2) Any order made by the Treasury under section three of the principal Act may contain such consequential and supplemental provisions as appear necessary or expedient for securing the effective operation

of the order, and any such order may be revoked, varied, or amended by an order made in like manner.

Construction and short title.

4. This Act shall be construed as one with the principal Act, and may be cited as the Pensions (Increase) Act, 1924, and the principal Act and this Act may be cited together as the Pensions (Increase) Acts, 1920 and 1924.

CHAPTER 33.

Repealed by the Old Age Pensions Act 1936

An Act to amend paragraph (3) of section two of the Old Age Pensions Act, 1908.

[7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of statutory condition as to means. 8 Edw. 7. c. 40. 9 & 10 Geo.5.c.102.

1. Paragraph (3) of section two of the Old Age Pensions Act, 1908, as amended by subsection (1) of section two of the Old Age Pensions Act, 1919 (which contains the statutory condition as to means), shall for all purposes have effect as though after the words "calculated under this Act" there were inserted the words "after deducting therefrom such part, if any, "thereof, but not exceeding in any case thirty-nine "pounds, as is derived from any source other than "earnings."

Short title and extent.

2.—(1) This Act may be cited as the Old Age Pensions Act, 1924; and the Old Age Pensions Acts, 1908 to 1919, and this Act may be cited together as the Old Age Pensions Acts, 1908 to 1924.

(2) This Act shall not extend to Northern Ireland.

CHAPTER 34.

An Act to make provision for the control and regulation of traffic in and near London, and for purposes connected therewith.

[7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Constitution of Advisory Committee.

1.—(1) With a view to facilitating and improving the regulation of traffic in and near London, there shall, for the purpose of giving advice and assistance in manner provided by this Act to the Minister of Transport (hereinafter referred to as the Minister) in connection with the exercise and performance of his powers and duties in relation to traffic within the area described in the First Schedule to this Act (hereinafter referred to as the London Traffic Area) be constituted a committee, to be called the London and Home Counties Traffic Advisory Committee and hereinafter referred to as the Advisory Committee consisting of a chairman elected by the Committee and such ordinary and additional members as are hereinafter mentioned.

(2) Of the ordinary members—

One shall be appointed by a Secretary of State :

Two shall be appointed by the London County Council :

One shall be appointed by the Corporation of the City of London :

Two shall be appointed by the councils of the metropolitan boroughs :

One shall be appointed by the councils of the administrative counties mentioned in the First Schedule to this Act, other than the administrative county of London lying north of the Thames :

One shall be appointed by the councils of the administrative counties mentioned in the First Schedule to this Act, other than the administrative county of London lying south of the Thames:

One shall be appointed by the councils of the several county boroughs within the London Traffic Area:

One shall be a representative of the metropolitan police appointed by a Secretary of State:

One shall be a representative of the City police appointed by the Corporation of the City of London:

One shall be appointed by the Minister:

Where one or more members are to be appointed by a group of local authorities, the appointment shall be made by a joint committee consisting of one representative chosen by each of the local authorities in accordance with rules of procedure made by the Minister:

Every ordinary member appointed by a local authority or group of local authorities other than the representative of the City police shall be a member of the local authority or of one of the grouped authorities, as the case may be, and, if he cease to hold such qualification, shall cease to be a member of the Committee.

(3) Of the additional members—

Three shall be representatives of the interests of labour engaged in the transport industry within the London Traffic Area appointed by the Minister of Labour after consultation with such bodies representative of those interests as he may think fit:

Four shall be representatives of the interests of persons providing means of transport and users of mechanically propelled and horse-drawn road vehicles within the London Traffic Area appointed by the Minister after consultation with such bodies representative of those interests as he may think desirable.

(4) The ordinary members shall form part of the committee on all occasions, and the additional members shall form part of the committee when considering and reporting to and advising the Minister upon any matter referred to the committee under or by virtue of section ten of this Act, or any matter or question referred to the committee under this Act in connection with the matters specified in Part I. of the Second Schedule to this Act:

Provided that the Minister may, if he thinks fit, direct that in any particular case the additional members shall form part of the committee when considering and reporting to and advising him upon any matter or question referred to the committee under this Act in connection with any of the matters mentioned in Part II. of the said Schedule.

(5) A person shall be disqualified for being appointed or being an ordinary member of the Advisory Committee if he is a director of a company or a partner in a firm or is in the employment of a company or firm engaged in providing means of transport within the London Traffic Area.

(6) The term of office of the members of the Advisory Committee first appointed shall be from the date of appointment until the first day of December, nineteen hundred and twenty-five, and, subject to the provisions as to the term of office of persons appointed to fill casual vacancies, the term of office of persons subsequently appointed shall be three years; but a person going out of office may be reappointed. The chairman shall go out of office on the day on which the members of the committee by whom he is elected ordinarily go out of office.

(7) If any member of the Advisory Committee without having received leave of absence by a resolution of the committee fails for a period of six months to attend duly summoned meetings of the Committee, or of a sub-committee on which he has been appointed to serve, his seat shall thereupon become vacant, and he shall not be eligible for reappointment in respect of that vacancy.

(8) On a casual vacancy occurring on the Advisory Committee by reason of death, resignation, or otherwise,

the vacancy shall be filled by the appointment of a new member in like manner as the member in whose place he is appointed, and he shall hold office until the time when the member in whose place he is appointed would have gone out of office, and shall then go out of office. The foregoing provision shall apply to the chairman with the substitution of "election" for "appointment" and of "elected" for "appointed." If an ordinary member or an additional member is elected chairman, his election shall not create a casual vacancy.

(9) The Minister may place at the disposal of the Advisory Committee the services of such of the officers and servants of the Ministry of Transport as appear to him to be required for the purpose of the proper discharge of the duties of the Committee.

(10) The Advisory Committee may make rules for regulating their procedure (including the fixing of a quorum, and the appointment, powers, duties and procedure of sub-committees) and for regulating the procedure at any inquiry held by the Advisory Committee or by any members thereof under this Act; and the additional members shall form part of the Advisory Committee when considering and making such rules of procedure.

(11) The Advisory Committee shall make an annual report of their proceedings to the Minister, which shall be laid before Parliament.

(12) The proceedings of the Advisory Committee shall not be invalidated by any vacancy in their number or any defect in the appointment of any member.

Duties of Advisory Committee.

2. It shall be the duty of the Advisory Committee to consider and report to the Minister on any matters within the scope of the provisions of this Act, and to report to and advise the Minister upon such matters and questions as may be referred to them under this Act, or as the Minister may from time to time refer to them in connection with any of the matters mentioned in the Second Schedule to this Act.

Power of Advisory Committee to hold inquiries.

3.—(1) In any case where the Advisory Committee think it desirable or expedient so to do, the Committee may, before advising and reporting to the Minister

on any matter referred to them in pursuance of this Act, appoint one or more of their number to hold, or may if they think it advisable, themselves hold such public inquiry into the matter as they may think fit, and when one or more members of the Advisory Committee are appointed to hold the inquiry they shall make a report thereon to the Committee.

(2) Before any such inquiry is held the Advisory Committee shall give public notice of the date and place at which the inquiry will be held and of the matters to be dealt with at the inquiry, and any person affected may make representations to the member or members holding the inquiry, or in the case of an inquiry held by the Advisory Committee themselves to that Committee, and, unless in their discretion such member or members or the Committee consider it unnecessary, any such person shall be heard at the inquiry: Provided that, for the purposes of this provision, the Corporation of the City of London and the council of any county, borough or district wholly or partly comprised in the London Traffic Area shall be deemed to be persons affected and shall have the right to be heard in any case where such corporation or council, or any persons represented by them, may be affected by any such inquiry.

(3) In any case where the Minister thinks it expedient or proper so to do, the Minister may delegate to the Advisory Committee the duty of holding any inquiry respecting any matter affecting traffic within the London Traffic Area which under any other Act the Minister is authorised or required to hold, and where the Minister has so delegated any such duty, the Advisory Committee shall appoint one or more of their number to hold, or may if they think it advisable themselves hold such inquiry as is required under the Act in respect of which the duty has been delegated, and when one or more members of the Advisory Committee are appointed to hold the inquiry they shall make a report to the Committee.

Closing of streets for works.

4.—(1) With a view that the times for the execution of works of road maintenance and improvement by various road authorities within the London Traffic Area may be so arranged as to mitigate as far as possible the congestion of traffic due to the closing of streets for the

purposes of the execution of such works, it shall be the duty of every road authority within that area to submit to the Minister, on or before such half-yearly dates in each year as the Minister may fix, a statement in such form and containing such particulars as the Minister may require of all works of road maintenance and improvement proposed to be commenced or continued by the authority during the periods of six months commencing at the expiration of such interval, not being less than two months, after the said half-yearly dates as the Minister may fix, being works of such a nature as will involve the closing to vehicular traffic of any part of any street to which this section applies either absolutely or to the extent of one-third or more of the width of the carriageway.

(2) The Minister shall refer all such statements to the Advisory Committee, and it shall be the duty of that Committee to consider the proposals contained in such statements in relation to one another and report to the Minister thereon; and the Minister, after considering the report, shall draw up schemes prescribing the times during which the several works are to be commenced and the order in which they are to be executed, or prohibiting or restricting the execution of any such works, and shall send copies of any such scheme to all road authorities and undertakers affected thereby, and

(*a*) if within fourteen days after copies of any scheme have been so sent, no objection in writing to the scheme has been received by the Minister from any road authority or undertakers affected thereby, or every such objection has been withdrawn, the Minister may by order confirm the scheme;

(*b*) if any such objection has been received by the Minister within such time and has not been withdrawn, the Minister may, after considering the objection, either by order confirm the scheme with or without amendments, or revoke the scheme;

and upon the confirmation of any such scheme it shall become final and binding on all the road authorities affected and shall not be subject to appeal to any court:

Provided that the Minister may subsequently by order modify any such scheme in so far as it imposes any prohibition or restriction on the execution of any works in such manner as he may consider expedient.

(3) With a view to securing that, so far as possible, all works involving the breaking up of streets by any undertakers having statutory powers to break up streets (including any Government Department) shall be carried out at the same time as or in connection with works of road maintenance and improvements, the Minister shall send to all such undertakers copies of the proposals of the road authorities when received by him under this section so far as they relate to streets to which the powers of the undertakers extend and shall consider any representations made to him by such undertakers; and where works of road maintenance and improvement involving the closing of a street to such extent as aforesaid have been executed in accordance with any such scheme, it shall not be lawful for any such undertakers within twelve months of completion of those works to break up the street or part of the street so closed without the previous consent of the Minister and unless they prove to the satisfaction of the Minister that there were reasonable grounds for their failure or omission to execute whilst the street or part thereof was closed the works for the execution of which they require to break up the street and that it is essential that the works should be executed or commenced within the said twelve months; and the Minister may, if he thinks fit, make it a condition on giving his consent under this subsection to the breaking up of the street or part thereof that all works in connection therewith shall be carried out at night by commencing the same after the hour of eight in the evening and completing the same by the hour of eight in the morning, and if not then completed by carrying on the same continuously by day and night.

(4) Nothing in this section shall prevent any road authority or any such undertakers as aforesaid from carrying out works in any streets in cases of emergency, or prevent any such undertakers from making, altering, repairing or disconnecting service connections.

(5) The streets to which this section applies are such streets or streets of such classes within the London

Traffic Area as may be prescribed by an order made by the Minister.

Provision for mitigating obstruction to traffic.

5.—(1) If it appears to any officer of police authorised for the purpose that, in the exercise of any power to break up streets within the London Traffic Area, any undertakers, by the deposit of excavated matter or other material, or by means of the erection of barriers, or otherwise, have created an obstruction in the street to a greater extent or for a longer period than is reasonably necessary, he shall report the matter to the road authority and the road authority shall cause an inspection to be made, and, if on such inspection it appears to them that the allegation is well founded, they may, by notice in writing, require the undertakers to take such steps as may be necessary to mitigate or discontinue the obstruction; and, if the undertakers fail to do so within twenty-four hours of the receipt of the notice, the road authority may themselves take the necessary steps and may recover any expenses properly incurred by them in connection therewith from the undertakers summarily as a civil debt:

Provided that, if within the said twenty-four hours the undertakers represent to the Minister that the obstruction to which the notice relates is not greater or has not been continued for a longer period than is reasonably necessary and send to the road authority a copy of the representations so made, the road authority shall not exercise the powers conferred by this section without the consent of the Minister.

(2) A road authority may, if they think fit, delegate to the road surveyor or other officer of the authority the powers of causing inspection to be made and of issuing requisitions conferred on the authority by this section.

Power to attach conditions to grant of omnibus licences plying in the city of London and the metropolitan police district.

6.—(1) As respects the area consisting of the city of London and the metropolitan police district, any licensing authority may, with the view to securing the public safety and the convenience of traffic, define, by reference to terminal points and to the course to be followed between those points, the routes (hereinafter called "approved routes") within the area of its licensing jurisdiction upon which regular services of omnibuses may be established. Any person who proposes to establish a regular service of omnibuses within the area of the licensing jurisdiction of any such licensing authority

upon a route which is not an approved route may apply to the licensing authority to define that route as an approved route, and in the event of the licensing authority refusing so to define such route an appeal shall lie to the Minister, who may, if he thinks fit, define the route, either as originally proposed, or subject to such alterations as he thinks proper, and any route so defined by the Minister shall be deemed to be an approved route.

(2) When licensing an omnibus to ply for hire within the area aforesaid, the licensing authority may, subject to the right of appeal to the Minister given by subsection (3) of section fourteen of the Roads Act, 1920, attach to any such licence all or any of the following conditions, that is to say:—

10 & 11 Geo. 5. c. 72

(*a*) a condition that the omnibus shall not ply for hire upon specified approved routes or any specified parts thereof, but such condition shall be imposed only on the ground that the omnibus is by reason of its construction or equipment unsuitable for use on such routes or parts thereof;

(*b*) a condition that the omnibus shall not, without the consent of the licensing authority, which consent may be either of special or of general application, and may be either absolute or subject to any conditions, ply for hire except upon approved routes;

(*c*) a condition that the omnibus shall not, without such consent as aforesaid, ply for hire except in maintaining a regular service;

and, if any person to whom a licence is granted subject to any such condition fails to comply with the condition, he shall be liable on summary conviction to a fine not exceeding five pounds, and, if a person is convicted of a second or subsequent offence under this subsection, the licensing authority may, if they think fit, revoke or suspend the licence for the omnibus in respect of which the second or subsequent offence was committed.

(3) Where a licensing authority have defined approved routes, the authority may, with a view to attaching such conditions as aforesaid to licences, require

in writing that all or any licences for omnibuses to ply for hire within the area aforesaid issued by them shall, within fourteen days of such requirement, be surrendered to them, and may issue in substitution for the licences so surrendered licences expiring on the same date as the licences so surrendered, and attach to any such substituted licences all or any of such conditions as aforesaid, and any licence so required to be surrendered shall, if not surrendered in accordance with the requirement, cease to have effect at the expiration of the said fourteen days, and, if so surrendered, shall cease to have effect on the issue of such substituted licence.

(4) A person to whom a licence for an omnibus has been granted subject to the condition that it shall not ply for hire except in maintaining such a regular service as aforesaid shall, within seven days or such other period as the Minister may fix after such condition has been first imposed, deposit with the licensing authority a schedule in such form and identified in such manner as the licensing authority may require, showing—

(*a*) the approved routes upon which he intends to establish a regular service of omnibuses;

(*b*) the time at which the service on each route is to commence and end on each day;

(*c*) the service to be maintained on each such route, distinguishing, if the service to be maintained on different days or at different hours is to vary, the service to be maintained on the several days or at the several hours;

(*d*) the maximum number of omnibuses to be used to maintain such service on each such route distinguishing, if the service is to vary on different days, the maximum number to be so used on the several days;

(*e*) the stages into which he intends to divide each route and the fares which he intends to charge in respect of such stages, distinguishing, if the stages and fares are to vary on different days or at different hours, the stages and fares on the several days and at the several hours;

and shall supply to the licensing authority such number of copies of the deposited schedule as the authority may require.

(5) On any such schedule being deposited with the licensing authority in accordance with the foregoing provisions, the same shall come into force, but the licensing authority shall send copies thereof to every person who is providing a regular service of omnibuses upon any route or any substantial portion of any route included in the schedule, and any such person shall have the right within seven days, or such other period as the Minister may fix, of receiving such copy to appeal to the Minister on the ground—

(*a*) that having regard to the number of omnibuses to be used for maintaining the service on any route, an increase in the service on that route specified in the schedule may reasonably be required either generally or during particular hours; or

(*b*) that having regard to the service to be maintained on any such route the maximum number of omnibuses to be used in maintaining the service is excessive;

and the Minister on such appeal, after giving the holder of the licence an opportunity of being heard, may make such order amending the schedule as he may think fit.

The Corporation of the City of London and the council of any county, or borough, or district wholly or partly within the area aforesaid, shall have the right at any time of appealing to the Minister against any schedule for the time being in force on the ground that any of the stages specified therein are unreasonably short or inconvenient or that any of the fares so specified are unreasonably high, and the Minister on such appeal, after giving the holder of the licence an opportunity of being heard, may make such order amending the schedule as he may think fit.

When an order amending a schedule has been made under this subsection the schedule shall have effect subject to the amendments made in the order.

(6) The holder of such a licence may at any time, but, subject as in the next following section provided, only at intervals of not less than four weeks, amend any such schedule or substitute a new schedule therefor by depositing with the licensing authority the proposed amendment or new schedule in such form and identified

in such manner as the licensing authority may require, and shall send to the licensing authority such number of copies of the proposed amendment or new schedule as the licensing authority may require; and on the deposit of the amendment or new schedule the schedule proposed to be amended shall have effect subject to the amendment or, as the case may be, the new schedule shall be substituted for the schedule previously in force, subject in either case to the like right of appeal to the Minister as in the case of the original schedule:

Provided that, where a schedule has been amended on appeal to the Minister, no amendment to the schedule, nor any schedule to be substituted therefor, shall be so deposited within four weeks after the schedule as amended by the Minister came into force.

(7) The Minister may make regulations with respect to the procedure on appeals under this section, and those regulations may provide for the appointment of a person or two or more persons to hold a public inquiry in such manner as may be prescribed into the subject matter of the appeal and for enabling the person or persons so appointed—

(*a*) to determine by whom and in what manner the costs of the appeal (including the remuneration of the person or persons appointed to hold the inquiry and any other expenses of the Minister) are to be borne;

(*b*) to take evidence on oath and for that purpose to administer oaths;

(*c*) by order to require any person subject to the payment or tender of the reasonable expenses of attendance to attend as a witness and give evidence or produce any documents in his possession or under his control which relate to any matter in question at the inquiry and are such as would be subject to production in a court of law.

If any person fails without reasonable excuse to comply with any requirement contained in any such order, he shall, on summary conviction, be liable to a fine not exceeding five pounds.

(8) Where a person deposits a schedule (whether original or substituted) or an amendment to a schedule

under this section, he shall send to the Minister such number of copies thereof as the Minister may require, and the copies so sent to the Minister shall be open to inspection by any person at all reasonable hours, and any person shall be entitled to make copies thereof or extracts therefrom.

(9) If a person to whom a licence for an omnibus has been granted subject to the condition that it shall not ply for hire except in maintaining a regular service fails to deposit a schedule as required by this section, or, except when prevented by accident or other unavoidable cause, or by a stoppage of work caused by an industrial dispute, or when otherwise authorised by the licensing authority, fails to establish or maintain a service in accordance with the schedule for the time being in force with respect to his omnibuses, or uses for the maintenance of any service a greater number of omnibuses than the maximum specified in such schedule or charges different fares or fares with respect to different stages from those specified in such schedule, he shall be liable on summary conviction to a fine not exceeding five pounds, and, if a person is convicted of a second or subsequent offence under this subsection, the licensing authority may, if they think fit, but subject to a right of appeal to the Minister, revoke or suspend all or any of the licences granted to the offender.

(10) Proceedings for an offence under this section shall not be instituted except by or on behalf of a licensing or police authority.

Power to limit the number of omnibuses plying on certain streets within the city of London and the metropolitan police district.

7.—(1) Where as respects any street or part of a street within the area consisting of the city of London and the metropolitan police district, the Minister is of opinion that by reason—

(*a*) of the width of the street or part of the street or the density of traffic thereon; or

(*b*) of the existence of alternative facilities for the conveyance of passengers along the street or part of the street or in proximity thereto, or of the omnibus accommodation on the street or part of the street being excessive;

it is desirable that an order under this section shall be made, he may by order declare the street or part of the

street to be a street in which the plying for hire by omnibuses ought to be prohibited or restricted either generally or during particular hours, and a street or part of a street with respect to which such an order is made is hereinafter referred to as a "restricted street."

(2) Where the Minister has so declared any street or part of a street to be a restricted street, the Minister may make regulations—

(*a*) prohibiting or restricting the plying for hire by omnibuses in the street either generally or during particular hours, or limiting the aggregate number of journeys which may be made in either direction along the street during particular hours by omnibuses plying for hire;

(*b*) determining the omnibus proprietors whose omnibuses alone may ply for hire on the street and apportioning amongst those proprietors such aggregate number of journeys as aforesaid; but so, nevertheless, that the right so to ply shall not be limited to the omnibuses of one proprietor in any case where it appears to the Minister to be reasonable and practicable that the right should be exercised by other omnibuses also; and

(*c*) conferring on a licensing authority such powers as he may deem necessary to enable them to secure the observance of the regulations;

and the regulations may provide for dispensing with or relaxing the restrictions imposed thereby in such circumstances and in such manner as may be provided in the regulations.

(3) Where in consequence of any such regulations it is necessary for any proprietor to amend the schedule of services for the time being in force with respect to his omnibuses, he may do so notwithstanding that such an interval of four weeks as is mentioned in the last preceding section has not elapsed.

(4) If any person contravenes or fails to comply with any such regulations, he shall be liable on summary conviction to a fine not exceeding five pounds, and on the conviction of a person for a second or subsequent

offence under this subsection, the licensing authority shall notify the Minister of the conviction, and the licensing authority, if so directed by the Minister, shall thereupon revoke or suspend all or any licences to ply for hire in the area aforesaid which they may have granted to the offender in respect of omnibuses:

Provided that proceedings for any such offence shall not be instituted except by or on behalf of a licensing or police authority.

(5) Before making an order declaring any street or part of a street to be a restricted street, or making any regulations under this section, the Minister shall give such notice of his intention to make the order or regulations, as the case may be, as he may think best adapted for informing persons affected, and shall refer the matter to the Advisory Committee for their advice and report.

(6) Any regulation made under this section shall be laid before both Houses of Parliament forthwith; and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or the making of a new regulation.

Reports to Parliament on holders of omnibus licences.

8.—(1) It shall be the duty of the proprietor of any omnibus, licensed subject to the condition that it shall not ply for hire except in maintaining a regular service as aforesaid, to keep such records and to make to the Minister such returns as the Minister may require.

(2) The Minister shall annually make a report to Parliament containing such of the returns so furnished to him, together with such comments thereon, and on the results of operating the said services, as he may think fit, and it shall be the duty of every such proprietor as aforesaid to furnish to the Minister such information, and to produce to him such accounts, books and documents as he may require for the purpose of preparing such report or otherwise carrying out his duties under this Act, or as he may consider to be necessary for the purposes of any inquiry held under this Act.

(3) An order of the Minister requiring any person to fulfil any duty imposed by this section shall be enforceable by the High Court on the application of the Minister in any of the ways referred to in section three of the Railway and Canal Traffic Act, 1854. 17 & 18 Vict c. 31.

Penalties for disobedience to directions of police.

9. Where a police constable in uniform is for the time being engaged in the regulation of traffic at any place in a street within the London Traffic Area, any person driving or propelling any vehicle who wilfully neglects or refuses to stop the vehicle or make it proceed or keep to a particular line of traffic when directed so to do by such police constable in the execution of his duty shall, on summary conviction, be liable to a fine not exceeding five pounds.

Power to make regulations.

10.—(1) For the purpose of relieving congestion and facilitating traffic in and near London, the Minister may make regulations to have effect in the London Traffic Area, or any such part thereof or places or streets therein, as may be specified in the regulations, for any of the purposes or with reference to any of the matters set out in the Third Schedule to this Act, and special regulations applicable only at special times or on special occasions may be so made:

Provided always that no such regulations shall interfere with street markets nor (so far as respects matters which may be dealt with by regulations under section one of the Metropolitan Streets Amendment Act, 1867) with street traders. 30 & 31 Vict. c. 134.

(2) Any regulations so made by the Minister may provide for the suspension or modification so long as the regulations remain in force of any provisions of any Acts (whether public general, or local or private) byelaws or regulations, dealing with the same subject matter as the regulations made by the Minister, or of any Acts conferring power of making byelaws or regulations dealing with the same subject matter, so far as such provisions apply to any place or street to which the regulations made by the Minister apply.

(3) Any such regulations may provide for imposing fines recoverable summarily in respect of breaches thereof not exceeding in the case of a first offence twenty pounds, or in the case of a second or subsequent offence fifty pounds, together with, in the case of a continuing

offence, a further fine not exceeding five pounds for each day the offence continues after notice of the offence has been given in such manner as may be prescribed by the regulations.

(4) Before making any regulations under this section, the Minister shall refer the matter to the Advisory Committee for their advice and report.

(5) Before making any regulations under this section which will impose new or additional duties on the police, the Minister shall consult the Secretary of State.

(6) The making of any regulations under this section shall be conclusive evidence that the requirements of this section have been complied with.

(7) Any regulation made under this section shall be laid before both Houses of Parliament forthwith; and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or the making of a new regulation.

Limitation upon imposition of expenses upon local authorities.

11. Nothing in this Act shall be construed as giving power to the Minister to impose any obligation upon a local authority to incur any expenditure on or in connection with the improvement of any road or the construction of any new road without consent of such local authority.

Notice of and inquiries into accidents.

12.—(1) Where, owing to the presence of a vehicle on any road, an accident occurs within the London Traffic Area and it appears to the Minister that—

(*a*) the nature and character of the road or of the road surface was the sole or a contributory cause of the accident; or

(*b*) a defect in design or construction of the vehicle or in the materials used in the construction of the road or of the vehicle was the sole or a contributory cause;

the Minister, if he thinks fit, may cause an inquiry to be held into the cause of the accident.

(2) Where an accident occurs within the London Traffic Area resulting in the death of any person, and it is alleged that the accident was due to the nature or character of any road or road surface or to a defect in the design or construction of any vehicle or in the materials used in the construction of any road or vehicle, the coroner holding inquiry into the cause of death shall send to the Minister, or to such officer of the Ministry of Transport as the Minister may direct, notice in writing of the time and place of holding the inquest, and of the adjourned inquest, and any officer appointed by the Minister for the purpose shall be at liberty at any such inquest to examine any witness, subject nevertheless to the power of the coroner to disallow any question which in his opinion is not relevant or is otherwise not a proper question.

(3) Section twenty of the Ministry of Transport Act, 1919 (which relates to the holding of inquiries), shall apply to inquiries held for the purposes of this section in like manner as it applies to inquiries for the purposes of that Act. 9 & 10 Geo. 5. c. 50.

13.—(1) It is hereby declared that nothing in this Act is to be treated as conferring on any omnibus proprietor any right to the continuance of any benefits arising from the grant of licences, or from any conditions attached to licences, or from any orders, schedules or regulations for the time being in force under this Act. Protection of public interests.

(2) In the event of any undertaking providing means of transport within the London Traffic Area being purchased compulsorily by any local or public authority, that part of the value of the undertaking attributable directly or indirectly to this Act, or to any orders, schedules or regulations made thereunder, shall not be taken into account.

14.—(1) It shall be the duty of the proprietor of any omnibus which is licensed subject to the condition that it shall not ply for hire except in maintaining a regular service, to supply to the Minister on such form as the Minister may determine— Particulars to be supplied by licence-holders.

(*a*) full particulars of any agreement or arrangement, written or verbal, whereby his business

is controlled (whether through shareholding or nomination of directors, or as the result of a loan or other financial transactions or otherwise) by any other person who is engaged in providing any form of transport service in the London traffic area or elsewhere, or in the manufacture or supply of vehicles, plant or equipment, or requisites for any such service or in financing persons so engaged; and

(*b*) full particulars as to the holding or beneficial interest of the proprietor in stocks, shares, or securities of any company which is so engaged as aforesaid.

(2) Particulars to be supplied by a proprietor of an omnibus under this section shall be supplied by him within fourteen days after the grant of the licence for the omnibus, and as respects any interests created or arising during the currency of a licence shall be supplied within fourteen days after such interests are created or have arisen:

Provided that, where particulars have been duly supplied by a proprietor on the grant of a licence for an omnibus, particulars need not be supplied by him on the grant of a licence for any other omnibus belonging to him which is granted within a period of one year after the date of the first-mentioned licence.

(3) If any person refuses or neglects to supply any particulars which he is required to supply under this section, or knowingly supplies any particulars which are false in any material respect, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or in the case of a continuing offence to a fine not exceeding twenty pounds for every day during which the offence continues.

(4) All particulars required to be supplied under this section shall be treated as confidential except where the person supplying the same otherwise agrees, or where the Minister considers that it is in the public interest that they should be included in a report to Parliament under this Act, or where the Minister considers that the disclosure of the same is requisite for

the purposes of any inquiry under this Act, or, in cases where legal proceedings are taken, for the purpose of those proceedings.

If any person discloses or publishes, in contravention of this subsection, any particulars which are to be treated as confidential, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Expenses.

15. All expenses incurred in connection with the execution of powers and duties under this Act by the Minister or the Advisory Committee or the members thereof (including the remuneration of any officers and servants of the Ministry of Transport placed at the disposal of the Committee by the Minister, or such apportioned part of such remuneration as the Treasury may determine to be proper) shall, to such amount as may be sanctioned by the Treasury, be defrayed out of the Road Fund.

Definitions.

16. For the purposes of this Act, unless the context otherwise requires—

The expressions "street" and "road" respectively include any highway and any bridge carrying a highway, and any lane, mews, footway, square, court, alley or passage whether a thoroughfare or not;

The expression "road authority" in relation to any street or road means the county council, the common council of the City of London, the borough council or district council, as the case may be, for the time being charged with the duty of maintaining or repairing the street or road;

The expression "borough" includes "metropolitan borough";

The expression "omnibus" includes every omnibus, char-a-banc, wagonette, brake, stage-coach, or other carriage not being a trolley vehicle or tramway car plying for hire by, or used to carry, passengers at separate fares;

The expression "trolley vehicle" means a mechanically propelled vehicle adapted for use upon roads without rails and moved by power transmitted thereto from some external source;

The expression "tramway car" includes any carriage used on any street or road in the London traffic area by virtue of an order made under the Light Railways Act, 1896;

59 & 60 Vict. c. 48.

The expression "licensing authority" in relation to omnibuses within the area comprising the City of London and the metropolitan police district means any authority appointed by the Secretary of State for the purpose under the Metropolitan Public Carriages Act, 1869;

32 & 33 Vict c. 115.

The expression "undertakers" includes any local or public authority, company, or individual having powers to break up streets for the purposes of any sewerage system or any water, gas, electricity, tramway, or other undertaking;

The expression "proprietor" in relation to any omnibus includes a person having the use of an omnibus under a hiring or hire-purchase agreement.

Short title and commencement

17.—(1) This Act may be cited as the London Traffic Act, 1924, and shall come into operation on the appointed day, and the appointed day shall be such day not being later than the first day of October, nineteen hundred and twenty-four, as the Minister may by order appoint, and different days may be appointed for different purposes and for different provisions of this Act.

(2) This Act shall continue in force until the first day of December, nineteen hundred and twenty-eight:

Provided that the expiration of this Act shall not affect any penalty, forfeiture, or punishment previously incurred under this Act or under any regulations made under this Act, or affect any legal proceeding or remedy in respect of any such penalty, forfeiture, or punishment, and any such legal proceeding or remedy may be instituted, or continued, or enforced, and such penalty, forfeiture, or punishment may be imposed as if this Act had not expired.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

The London traffic area shall include the following areas :—

The administrative county of London;

The administrative county of Middlesex;

The county boroughs of Croydon, East Ham, and West Ham;

So much of the administrative county of Buckingham as comprises :—

The urban districts of Beaconsfield, Eton, and Slough;

The rural district of Eton;

The parishes of Amersham, Chalfont St. Giles, Chalfont St. Peter, Chenies, and Penn; Coleshill Hamlet and Seer Green Chapelry in the rural district of Amersham;

So much of the administrative county of Essex as comprises :—

The urban districts of Barking Town, Brentwood, Buckhurst Hill, Chingford, Epping, Grays Thurrock, Ilford, Leyton, Loughton, Romford, Tilbury, Waltham Holy Cross, Walthamstow, Wanstead, and Woodford;

The rural districts of Billericay, Epping, Ongar, Orsett, and Romford :

So much of the administrative county of Hertford as comprises :—

The boroughs of St. Albans, Hertford and Watford;

The urban districts of Barnet, Bushey, Cheshunt, Chorleywood, East Barnet Valley, Harpenden, Hoddesdon, Rickmansworth and Ware;

The rural districts of Barnet, Hatfield, Hertford, St. Alban's, Ware, Watford and Welwyn; and the detached part (lying between the rural districts of Ware and Epping) of the parish of High Wych in the rural district of Hadham:

So much of the administrative county of Kent as comprises :—

The boroughs of Bromley and Gravesend;

The urban districts of Beckenham, Bexley, Chislehurst, Crayford, Dartford, Erith, Northfleet, Penge, Sevenoaks and Sidcup;

The rural districts of Bromley and Dartford;

The parishes of Brasted (excluding the detached portion), Chevening, Dunton Green, Halstead, Kemsing, Otford, Riverhead, Seal, Sevenoaks Weald, Shoreham, Sundridge, and Westerham, in the rural district of Sevenoaks :

So much of the administrative county of Surrey as comprises :—

The boroughs of Guildford, Kingston-upon-Thames, Reigate, Richmond, and Wimbledon;

The urban districts of Barnes, Beddington and Wallington, Carshalton, Caterham, Chertsey, Coulsdon and Purley, Dorking, East and West Molesey, Egham, Epsom, Esher and the Dittons, Ham, Leatherhead, Merton and Morden, Mitcham, Surbiton, Sutton, The Maldens and Coombe, Walton-upon-Thames, Weybridge, and Woking;

The rural district of Epsom;

The parishes of Bisley, Byfleet, Pyrford, and Thorpe in the rural district of Chertsey;

The parishes of Dorking Rural, Effingham, and Mickleham in the rural district of Dorking;

The parishes of Addington, Bletchingly, Chelsham, Crowhurst, Farleigh Godstone (except the detached portion), Limpsfield, Oxted, Tandridge (except so much of the said parish as lies to the south of an imaginary straight line drawn from the point where the western boundary of the said parish joins the southern boundary of the parish of Godstone to the point where the eastern boundary of the said parish joins the southern boundary of the parish of Crowhurst), Tatsfield, Titsey, Warlingham, and Woldingham in the rural district of Godstone;

The parishes of Artington, East Clandon, East Horsley, Merrow, Ockham, Pirbright, Send and Ripley, West Clandon, West Horsley, Wisley and Worplesdon; and part of the parish of Compton in the rural district of Guildford;

The parishes of St. Martha (Chilworth) and Shalford in the rural district of Hambledon;]

The parishes of Betchworth, Buckland, Chaldon, Chipstead, Gatton, Merstham, Nutfield, and Walton-on-the-Hill; and Kingswood Liberty in the rural district of Reigate.

SECOND SCHEDULE.

Sections 1, 2.

Particular Matters which may be referred to the Advisory Committee.

Part I.

Matters in respect of which the additional members are to form part of the Advisory Committee.

(*a*) The co-ordination of all or any of the various forms of transport services, and co-operation between the persons operating the same or different forms of transport services with a view to the combined operation of all means of transport in the London Traffic Area in the best interests of the public;

(*b*) The causes tending to hinder the free circulation of traffic on streets in the London Traffic Area and the measures to be adopted to remove such causes or to minimise their effects;

(*c*) The desirability of the revision, simplification, codification and extension of existing enactments, orders, regulations and byelaws, and of the initiation of new legislation, with regard to or affecting traffic on streets in the London Traffic Area;

(*d*) The making of new orders, byelaws and regulations (including the fixing of speed limits) relating to traffic on streets in the London Traffic Area;

(*e*) The provision of sufficient headroom in the construction of new bridges over streets, and the proper marking and lighting of structures across streets which do not provide sufficient headroom;

(*f*) The comparative desirability of different forms of transport services in various circumstances either generally or in particular localities, or in any specific case.

PART II.

Matters in respect of which the additional members are, if the Minister so directs, to form part of the Advisory Committee.

(*g*) The development, improvement, or extension of the existing system of road communication within the London Traffic Area;

(*h*) New transport systems or developments or extensions of existing systems proposed to be established or carried out within the London Traffic Area;

(*i*) The exercise of any of the powers of the Minister from whatsoever source derived in relation to traffic on streets in the London Traffic Area, with the exception of any matters dealt with by him in virtue of section seven of this Act.

PART III.

Matters in respect of which the additional members are not to form part of the Advisory Committee.

(*j*) The formulation of proposals for the equitable distribution amongst the various road authorities in the London Traffic Area of the cost of any scheme of road development, improvement or extension.

Section 10.

THIRD SCHEDULE.

PURPOSES OR MATTERS FOR OR WITH RESPECT TO WHICH REGULATIONS MAY BE MADE BY THE MINISTER.

(1) For prescribing the routes to be followed by all classes of traffic, or of any particular class or classes of traffic or vehicles, from one specified point to another, either generally or between any specified times.

(2) For prescribing streets which are not to be used for traffic by vehicles of any specified class or classes, either generally or at specified times.

(3) For regulating the relative position in the roadway of traffic of differing speeds or types.

(4) For prescribing the places where vehicles or vehicles of any particular class or description may not turn so as to face in the opposite direction to that in which they were proceeding, or where they may only so turn under conditions prescribed by the regulations.

(5) For prescribing the conditions subject to which, and the times at which, articles of exceptionally heavy weight or exceptionally large dimensions may be carried by road.

(6) For prescribing the number and maximum size and weight of trailers which may be drawn on streets by vehicles or vehicles of any particular class or description either generally or on streets of any class or description, and for prescribing that a man should be carried on the trailer or, where more than one trailer is drawn, on the rear trailer for signalling to the driver.

(7) For prescribing the conditions subject to which, and the times at which, articles may be loaded on to or unloaded from vehicles, or vehicles of any particular class or description, on streets.

(8) For prescribing the conditions subject to which, and the times at which, vehicles, or vehicles of any particular class or description, delivering or collecting goods or merchandise, or delivering goods or merchandise of any particular class or classes, may stand in streets, or in streets of any class or description, or in specified streets

(9) For prescribing the conditions subject to which, and the times at which, vehicles, or vehicles of any particular class or description, may be used on streets for collecting refuse.

(10) For prescribing rules as to precedence to be observed as between vehicles proceeding in the same direction, or in opposite directions, or when crossing.

(11) For prescribing the conditions subject to which, and the times at which, horses, cattle, sheep and other animals may be led or driven on streets within the Metropolitan police district and the city of London.

(12) For requiring the erection, exhibition, and removal of traffic notices, and as to the form, plan, and character of such notices.

(13) Broken down vehicles.

(14) Vehicles, or vehicles of any particular class or description, when unattended.

(15) Places in streets where vehicles, or vehicles of any particular class or description, may, or may not, wait either generally or at particular times.

(16) Cab ranks and ranks and stopping places of omnibuses and other public conveyances.

(17) Cabs and hackney carriages not hired and being in a street elsewhere than on a cab rank.

(18) For restricting the use of vehicles and animals, and of sandwichmen and other persons, in streets for the purposes of advertisement of such a nature or in such a manner as to be likely to be a source of danger or to cause obstruction to traffic.

(19) The lighting and guarding of street works.

(20) The erection or placing or the removal of any works or objects likely to hinder the free circulation of traffic in any street, or likely to occasion danger to passengers or vehicles.

(21) Queues of persons waiting in streets.

(22) Priority of entry to public vehicles.

(23) For enabling any police, local or other public authority, in the event of any person failing to do anything which under the regulations he ought to have done, to do such act, and to recover the expenses thereof from the person so in default summarily as a civil debt.

CHAPTER 35.

An Act to amend the financial provisions of the Housing, &c. Act, 1923, and for other purposes incidental thereto or connected therewith.

[7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extension of 13 & 14 Geo. 5. c. 24. to houses completed before 1st, October 1939.

1.—(1) Subject to the provisions of this Act, sections one and three of the Housing, &c. Act, 1923 (which relate to contributions by the Minister of Health to the expenses of local authorities in assisting the construction of houses and to the expenses of public utility societies and other bodies in building houses), shall extend to houses which are provided in pursuance of proposals approved by the Minister and are completed before the first day of October, nineteen hundred and thirty-nine, and so much of that Act as limits the operation of those sections to houses completed before

the first day of October, nineteen hundred and twenty-five, or the first day of June, nineteen hundred and twenty-six, shall cease to have effect.

(2) The following paragraph shall be substituted for paragraph (*b*) of subsection (1) of section one of the Housing, &c. Act, 1923:—

"(*b*) towards any expenses incurred by the local authority in the provision of such houses by the local authority themselves."

Where a local authority purchase any such houses as are referred to in the said paragraph for the purposes of Part III. of the Housing of the Working Classes Act, 1890, the houses shall not be treated as houses provided by the local authority themselves within the meaning of the said Act of 1923 or this Act if the houses are houses which have been completed before the passing of this Act or have been occupied prior to the purchase. 53 & 54 Vict. c. 70.

Increased Government contributions in case of houses which are subject to special conditions.

2.—(1) Where, in pursuance of proposals approved by the Minister after the passing of this Act, any houses are provided by a local authority themselves or by a society, body of trustees or company within the meaning of section three of the said Act, or expenses are incurred by a local authority in promoting the construction of any houses in accordance with section two of the said Act as amended by this Act, then, if the houses are subject to special conditions as hereinafter provided in this Act, the contribution which the Minister may make or undertake to make in respect of each such house, instead of being a contribution of six pounds payable annually for a period of twenty years—

(*a*) shall be a contribution of nine pounds or, if the house is situated in an agricultural parish, twelve pounds ten shillings; and

(*b*) shall be payable annually for a period of forty years;

and the said Act shall have effect accordingly.

Provided that, where the contributions are made towards expenses incurred by a local authority in promoting the construction of houses in accordance with section two of the said Act as amended by this Act, the

said Act in its application to any of those houses shall have effect with the following modifications, namely :—

(i) In the provision in subsection (1) of section one which requires that a contribution shall be reduced in certain contingencies, nine pounds, or in the case of a house situated in an agricultural parish twelve pounds ten shillings, shall be substituted for six pounds, and forty years shall be substituted for twenty years:

(ii) Paragraph (*a*) of subsection (3) of section two shall not apply, and the following paragraph shall be substituted for paragraph (*b*) of the said subsection:

"(*b*) Undertake to pay such annual sum as may be specified in the proposals for a period not exceeding forty years to the person for the time being in receipt of the rent payable by a tenant to whom the house is let, or, in the case of a house not so let, to the person by whom the rates on the house are payable."

Provided also that in any case where proposals are submitted to the Minister which, in consequence of the adoption of new materials or new methods of construction, involve a reduction in the estimated annual expenses to be incurred in connection with each house substantially greater than the equivalent of four pounds ten shillings per annum for forty years, the Minister may reduce the contribution by such amount as he shall think just and reasonable, but so nevertheless that the contribution shall not be reduced to such an extent as to leave any part of such estimated annual expenses to be borne by the local rate or by the said society, body of trustees, or company, as the case may be.

(2) For the purposes of this Act, a house shall be deemed to be situated in an agricultural parish if at the beginning of the financial year in which the proposal for the provision of the house is approved by the Minister—

(*a*) the net annual value of the agricultural land in the parish in which the house is situated, as shown in the county rate basis then in force, exceeds twenty-five per cent. of the total net annual value of that parish as shown in the

same basis (the value of all property in the occupation of the Crown being taken into account); and

(*b*) the population of the parish according to the last published census return of the Registrar-General, is less than fifty persons per hundred acres.

Any question as to whether a parish is or is not an agricultural parish within the meaning of this subsection shall be determined by the Minister, whose decision shall be final.

(3) In the case of any houses situated in an agricultural parish which are provided by a county council or any such board or body as is mentioned in subsection (3) of section eight of the Housing, Town Planning, &c. Act, 1919, for persons in their employment or paid by them or by a statutory committee, this section shall apply in like manner as it applies in the case of houses not situated in an agricultural parish. 9 & 10 Geo. 5. c. 35.

(4) Houses provided in pursuance of proposals approved by the Minister before the passing of this Act, if the contract for the construction of the houses was entered into or, in the case of houses constructed otherwise than under contract, the construction was begun after the first day of February, nineteen hundred and twenty-four, may, for the purposes of this section, if the Minister so directs, be treated as if the approval had been given after the passing of this Act, notwithstanding that the houses do not comply in every respect with the conditions imposed by or under this Act.

(5) Where, in pursuance of proposals approved by the Minister under this Act, houses are provided by the common council of the city of London or by a metropolitan borough council, the London County Council may, in respect of any such house which is subject to special conditions, supplement any contribution made by the Minister in respect of such house to an extent not exceeding two pounds five shillings, payable annually for a period not exceeding forty years, and for the purposes of paragraph (*e*) of subsection (1) of section three of this Act the amount of any such supplemental contribution shall be treated as if it were part of the expenses borne by the local rate in the city or borough.

Special conditions.

3.—(1) Houses provided by a local authority themselves shall be deemed to be subject to special conditions if the local authority undertake, in accordance with rules made by the Minister and approved by the Treasury, that the following conditions will be complied with in relation to the houses :—

(*a*) that, subject to the following conditions, the houses shall be let by the local authority for occupation to tenants who intend to reside therein :

(*b*) that it shall be a term of every such letting that the tenant shall not assign, sublet, or otherwise part with the possession of the house, or any part thereof, except with the consent in writing of the local authority or some person authorised by them in that behalf, and that such consent shall not be given unless it is shown that no payment other than rent has been or is to be received by the tenant in consideration of the assignment, subletting, or other transaction ;

(*c*) that if the local authority desire to sell or (save by such lettings as aforesaid) otherwise dispose of the houses the sale or disposal shall not be effected except upon and subject to such stipulations, if any, as the Minister thinks proper, for the reduction of the amount or the curtailment of the duration of any contribution payable by the Minister in respect of the house, or for both reduction and curtailment, but so nevertheless that the contribution in respect of any house sold before the expiration of a period of twenty years from the date when that contribution first became payable shall not be reduced by more than three pounds or, in the case of a house in an agricultural parish, by more than six pounds ten shillings, and the duration thereof shall not be curtailed by more than twenty years ;

(*d*) that a fair wages clause which complies with the requirements of any resolution of the House of Commons applicable to contracts of Government departments and for the time being in force shall be inserted in all contracts for the construction of the houses ;

(*e*) that the rents charged in respect of the houses shall not in the aggregate exceed the total amount of the rents that would be payable if the houses were let at the appropriate normal rents charged in respect of working-class houses erected prior to the third day of August, nineteen hundred and fourteen, except where the estimated annual expenses to be incurred in connection with the houses exceed, so far as the same are borne by the local rate, an amount equivalent to four pounds ten shillings a year payable for a period of forty years for each house and then only to the extent of such excess; and that no fine, premium or other like sum shall be taken in addition to the rent; and

(*f*) that reasonable preference shall be given to large families in letting the houses.

(2) Houses provided by a society, body of trustees or company within the meaning of section three of the Housing, &c. Act, 1923, and houses, the construction of which is promoted by a local authority in accordance with section two of the said Act, as amended by this Act, shall be deemed to be subject to special conditions if the society, body of trustees or company, in the case of the houses provided by them, and the local authority in the case of the other houses undertake, in accordance with rules made by the Minister and approved by the Treasury, that the following conditions will be complied with in relation to the houses:— 13 & 14 Geo. 5. c. 24.

(*a*) that the houses shall be let for occupation to tenants who intend to reside therein;

(*b*) that it shall be a term of every such letting that the tenant shall not assign, sub-let, or otherwise part with the possession of the house, or any part thereof, except with the consent in writing of the society, body of trustees, or company in the case of the houses provided by them, or of the local authority or some person authorised by them in that behalf in the case of the other houses, and that such consent shall not be given unless it is shown that no payment other than rent has been or is to be received by the tenant in consideration of the assignment, sub-letting, or other transaction;

(*c*) that no house shall be sold or (save by such lettings as aforesaid) otherwise disposed of except with the consent of the Minister, which may be absolute or subject to such reasonable stipulations as the Minister thinks proper, including, if the Minister thinks fit, stipulations for the reduction of the amount or the curtailment of the duration of any contribution payable by the Minister in respect of the house, or for both reduction and curtailment, but so nevertheless that the contribution in respect of any house sold before the expiration of a period of twenty years from the date when that contribution first became payable shall not be reduced by more than three pounds, or in the case of a house in an agricultural parish by more than six pounds ten shillings, and the duration thereof shall not be curtailed by more than twenty years;

(*d*) that a fair wage clause which complies with the requirements of any resolution of the House of Commons applicable to contracts of Government departments and for the time being in force shall be inserted in all contracts for the construction of houses; and

(*e*) that the rent charged in respect of any house shall not exceed the appropriate normal rent together with a sum equivalent to the average excess, if any, above the appropriate normal rent which can be charged by the local authority in accordance with this section in the case of houses provided by the local authority themselves, and that no fine, premium or other like sum shall be taken in addition to the rent.

(3) For the purposes of this section, the appropriate normal rent shall be deemed to be such rent, exclusive of rates, as the local authority determine, in accordance with rules made by the Minister, to be the rent that is normally charged in the area of the local authority in the case of working-class houses erected prior to the third day of August, nineteen hundred and fourteen: Provided that different rents may be so determined to be the appropriate normal rents as respects different

classes of houses and as respects different parts of the area.

Every rule made under this section shall be laid before both Houses of Parliament forthwith; and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such rule is laid praying that the rule may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or the making of a new rule.

(4) If at any time it is shown to the satisfaction of the Minister that any undertaking given under this section, or that any of the special conditions to which a house is subject under this section has not been complied with, any contribution payable in respect of the house may be discontinued or the amount thereof may be reduced, and the duration thereof may be curtailed, according as the Minister thinks proper.

Termination of Government liability to make contributions.

4.—(1) Subject as hereinafter provided, the Minister and the Scottish Board of Health may jointly make an order under this section declaring that no contributions shall be made by the Minister or Board in respect of any houses which have not been completed before the date specified in the order.

(2) The Minister and Board may make an order under this section in either of the following cases—

(*a*) if, in the year nineteen hundred and twenty-seven, or in any third succeeding year, the Minister and Board are satisfied that the total number of houses which have been completed in the two years last preceding and in respect of which contributions are payable, is less than two-thirds of the number set opposite to those two years in the First Schedule to this Act, whether the deficiency is due to the absence of adequate arrangements for the necessary increase in the supply of labour (including any necessary augmentation of the number of apprentices employed) or for the necessary increase in the supply of materials at reasonable prices, or for the obtaining of funds at reasonable rates of interest to finance the

provision of houses, or arises from any other cause whatsoever;

(*b*) if, on a report made after due inquiry by a body of independent persons appointed by them, the Minister and Board are satisfied that the cost of erecting houses in respect of which contributions are payable has become unreasonable, regard being had to all the circumstances of the case and in particular to the question whether and how far any increase in the cost or any excessive charges are attributable to causes within the control of persons engaged whether as employers or workers in the building industry or in the manufacture or supply of building materials.

(3) When any such order has been made the Minister or Board shall not be liable to make or to undertake to make any contributions in respect of houses which have not been completed before the date specified in the order, other than a house which is completed not later than eight months after the specified date in respect of which the Minister or Board is satisfied that the failure to complete the house before the specified date was due to circumstances over which the local authority, person, or body constructing the house had no control.

Revision of contributions.

5. In the year nineteen hundred and twenty-six, after the first day of October in that year and in each second succeeding year, after the first day of October in such year, the Minister and the Scottish Board of Health shall take into consideration the expenses which are likely to be incurred in the period of two years from such first day of October in connection with the provision of houses in respect of which contributions would be payable by the Minister or Board, due regard being had to the expenses actually incurred during the period of two years ending on that day for the like purposes, and after consultation with such associations of local authorities as appear to them to be concerned, and with any local authority with whom consultation appears to them to be desirable, may, if they think it expedient so to do, jointly make an order altering the amount of the contributions payable or the period for which such contributions are to be payable, so far as respects houses which have not been completed before the

date specified in the order, but so, nevertheless, that the amounts and periods fixed by the order shall be such as may be approved by the Treasury and shall not exceed the respective amounts and periods fixed by the Housing, &c. Act, 1923, or (in the case of houses subject to special conditions) by this Act, unless Parliament otherwise determines.

An order under this section shall make such consequential alterations of any sums or periods mentioned in the financial provisions of the said Act or in this Act, including the sum of four pounds ten shillings mentioned in subsection (1) of section three of this Act, as appear to the Minister and Board to be necessary for the purpose of adjusting the same to any alteration made by the order in the amount or duration of the contributions, and that Act and this Act shall have effect accordingly.

Laying of orders before Parliament.

6. Before any order is made by the Minister and the Scottish Board of Health under this Act, a draft of the proposed order shall be laid before the Commons House of Parliament, and the order shall not be made unless and until a resolution is passed by that House approving of the draft.

Conditions as to town planning schemes and density.

7. It shall be the duty of a local authority on submitting proposals for the provision of houses for the purposes of this Act to satisfy the Minister—

(*a*) that they have taken into account the requirements of any town planning scheme likely to be made in respect of or in the neighbourhood of the area in which the houses are to be provided; and

(*b*) that the rate of density of the houses, ascertained in such manner as the Minister may determine, will not, except with the consent of the Minister, exceed eight per acre in an agricultural parish and twelve per acre elsewhere.

Adjustment of difficulties between local authorities

8. Where the Minister approves the proposals of a local authority in relation to the provision of houses in the area of another local authority, and any difference arises between those authorities with respect to the carrying out of the proposals such difference may be referred by either authority to the Minister whose

decision shall be final and binding on the respective authorities.

Extension of provisions of 13 & 14 Geo. 5. c. 24. s. 3, where local authority fails to take action.

9. In any case where the Minister certifies that a local authority has failed to take the necessary steps for promoting the construction of houses under the Housing, &c. Act, 1923, or this Act, the provisions of section three of the said Act of 1923 shall apply to persons willing to undertake or who have undertaken the construction of houses in the area of the local authority in like manner as they apply to the societies, bodies of trustees, and companies therein mentioned, and the provisions of this Act relative to such societies, bodies, and companies shall extend to those persons.

Materials and methods of construction.

10.—(1) In approving proposals for the construction of houses under this Act the Minister shall not impose any condition which would prevent the materials required being purchased in the cheapest market at home or abroad or which would require the employment of any particular trade.

(2) If at any time it is shown to the satisfaction of the Minister that a local authority have, without reasonable cause, refused to adopt a new material or method of construction which in his opinion would reduce the cost of the house without unduly affecting its durability, suitability or appearance, the Minister shall require the adoption of the said new material or method of construction to be reconsidered for that purpose by the local authority, and, in the event of their failure without reasonable cause to adopt the same, shall make such deduction from the amount of the contribution payable by him as in his opinion is reasonable having regard to the amount of the unnecessary expenditure so incurred by the local authority, but, for the purpose of paragraph (*e*) of subsection (1) of section three of this Act, the expenses of the local authority shall be calculated as if no such deduction had been made.

Suspension of building operations.

11. A local authority in carrying out any proposals approved by the Minister for the purposes of this Act shall have power to determine the number of houses which they will build in any particular period subject to the imposition of a maximum limit by the Minister, and should the local authority find it necessary to suspend

building operations on the ground of excessive cost, or on any other reasonable ground, the suspension shall not be treated as a failure on the part of the local authority to fulfil their obligations as to the preparation of schemes under the Housing Acts or their obligations under any such schemes.

Powers of county councils.

12.—(1) The powers conferred upon local authorities by section five of the Housing, &c. Act, 1923, may be exercised by a county council, and any expenses incurred by a county council thereunder shall be defrayed as expenses for general county purposes.

Repealed by the Housing Act 1925

(2) The provisions of section eight of the Housing, Town Planning, &c. Act, 1919, so far as they relate to the borrowing of money by a county council, shall apply in the case of any money borrowed by a county council for any of the purposes aforesaid.

(3) Money borrowed by a county council under any powers conferred on them by the Housing Acts, 1890 to 1923, or this Act, shall not be reckoned as part of the total debt of the council for the purpose of any limitation on borrowing imposed by any Act of Parliament.

Minor amendments.

13. The amendments specified in the second column of the Second Schedule to this Act being minor amendments of the Housing, &c. Act, 1923, shall be made in the provisions of that Act specified in the first column of that Schedule.

Agreements between London County Council and metropolitan borough councils.

14.—(1) The London County Council and the common council of the city of London or any metropolitan borough council may enter into agreements by which the common council or the metropolitan borough council may contribute such amounts as may be agreed, subject to the provisions of this Act, towards the provision of houses by the county council within or without the county to meet any special needs of the common council or any such metropolitan borough council, and, for the purposes of paragraph (*e*) of subsection (1) of section three of this Act, the amount of any such contribution shall be treated as if it were part of the expenses borne by the county rate.

(2) In the case of houses provided by the London County Council within the area of any other local authority or houses the construction of which within such

area is promoted by the London County Council the appropriate normal rent shall be determined by the Council instead of by the local authority of the area.

Expenses of London County Council.

15. Any expenses incurred by the London County Council under this Act and under section two of the Housing, &c. Act, 1923, as amended by this Act, shall be defrayed as expenses for general county purposes.

Application to Scotland.

16. This Act in its application to Scotland shall have effect subject to the following modifications :—

(1) References to the Minister of Health (except in sections four, five and six) shall be construed as references to the Scottish Board of Health (in this section referred to as the Board) and the reference to section eight of the Housing, Town Planning, &c. Act, 1919, shall be construed as a reference to section six of the Housing, Town Planning, &c. (Scotland) Act, 1919.

9 & 10 Geo. 5. c. 60.

(2) References in this Act to an agricultural parish shall be construed as references to a rural area; and the following provisions shall be substituted for subsections (2) and (3) of section two, namely,—

"(2) For the purposes of this Act, a house shall be deemed to be situated in a rural area if the area at the beginning of the financial year in which the proposal for the provision of the house is approved by the Board, is either—

(*a*) a landward parish or (in the case of a parish which is partly burghal and partly landward) the landward part of the parish for the purposes of the Local Government (Scotland) Act, 1894, with respect to which the two following conditions are fulfilled :—

57 & 58 Vict. c. 58.

(i) the value of the agricultural land in the landward parish or the landward part of the parish according to the valuation roll then in force exceeds twenty-five per cent. of the total valuation of all lands and heritages in the landward parish or in the landward part of the parish, as the case may be; and

(ii) the population of the landward parish or the landward part of the parish, as the case may be, according to the last published census report of the Registrar-General for Scotland is less than fifty persons per hundred acres; or

(*b*) any area within the Highlands and Islands as defined in the Highlands and Islands (Medical Service) Grant Act, 1913, other than a burgh within the meaning of the Public Health (Scotland) Act, 1897.

3 & 4 Geo. 5. c. 26.

60 & 61 Vict. c. 38.

Any question as to whether an area is or is not a rural area within the meaning of this subsection shall be determined by the Board, whose decision shall be final.

(3) In the case of any houses situated in a rural area which are provided by a county council or a district board of control under the Lunacy (Scotland) Acts, 1857 to 1913, for persons in their employment or paid by them, this section shall apply in like manner as it applies in the case of houses not situated in a rural area."

(3) Subsection (3) of section five of the Housing, &c. Act, 1923, shall, in its application to Scotland, have effect as if for the words "the estimated value of the fee simple in possession free from incumbrances of the house" there were substituted the words "the estimated value of the house subject to the feuduty, ground annual, or other burden incident to tenure, but free from incumbrances."

Short title, citation and extent.

17.—(1) This Act may be cited as the Housing (Financial Provisions) Act, 1924.

(2) The Housing Acts 1890 to 1923 and this Act may be cited together as the Housing Acts, 1890 to 1924.

(3) The Housing (Scotland) Acts, 1890 to 1923, and this Act as applied to Scotland may be cited together as the Housing (Scotland) Acts, 1890 to 1924.

(4) This Act shall not extend to Northern Ireland.

SCHEDULES.

Section 4.

FIRST SCHEDULE.

Years.	Number of Houses.
1925–1926	190,000
1928–1929	255,000
1931–1932	360,000
1934–1935	450,000

Section 13.

SECOND SCHEDULE.

Repealed so far as it amends s. 5 of the Housing Act 1923 by the Housing Act 1925

MINOR AMENDMENTS OF HOUSING, &C. ACT, 1923.

Enactments to be Amended.	Nature of Amendment.
Section 1 (2)	After the words "fixed bath" there shall be inserted the words "in a bath-room."
Section 2 (5)	The words "house will be completed before "the said first day of October, and that "the other" shall be omitted.
Section 5 (1)	The words "at any time before the first day "of October, nineteen hundred and "twenty-six" shall be omitted.
Section 5 (1) (*b*)	After the word "advances" there shall be inserted the words "with interest thereon," and at the end of the paragraph there shall be inserted the words "whether "such houses are within or without the "area of the local authority."
Section 5 (3)	After the words "the same house" there shall be inserted the following words, "In "the case of an advance for the construction of one or more structurally "separate and self-contained flats, the "estimated value for the purposes of "the foregoing limitation shall, as "respects any flat, be the estimated "value of the flat."

CHAPTER 36.

An Act to amend the Local Authorities Loans (Scotland) Acts, 1891 and 1893.

[7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of Local Authorities Loans (Scotland) Acts, 1891 and 1893, as to issue of stock. 56 & 57 Vict. c. 8.

1.—(1) The Secretary for Scotland may make regulations under section three of the Local Authorities Loans (Scotland) Act (1891) Amendment Act, 1893, authorising the creation and issue from time to time by any local authority who shall, whether before or after the passing of this Act, have issued stock under the Local Authorities Loans (Scotland) Acts, 1891 and 1893, of stock of a different class from any stock already issued by that authority, and on different terms and conditions, including the rate of dividend payable and the period after which the same shall become redeemable, and the Secretary for Scotland may by such regulations direct that the provisions of the said Acts shall apply to stock issued in pursuance of the regulations, subject to such modifications as may be specified in the regulations.

(2) Notwithstanding anything contained in the Local Authorities Loans (Scotland) Acts, 1891 and 1893, it shall be lawful for a local authority, with the sanction of the Secretary for Scotland, to issue stock in accordance with the provisions of the said Acts at such price lower than ninety-five per centum as the Secretary for Scotland may approve.

Short title and construction.

2. This Act may be cited as the Local Authorities Loans (Scotland) Act, 1924, and shall be construed as one with the Local Authorities Loans (Scotland) Acts, 1891 and 1893, and those Acts and this Act may be cited together as the Local Authorities Loans (Scotland) Acts, 1891 to 1924.

CHAPTER 37.

An Act to provide for the Regulation of Wages of Workers in Agriculture, and for purposes incidental thereto. [7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Establishment of agricultural wages committees and an Agricultural Wages Board.

1.—(1) Subject to the provisions of this Act, the Minister of Agriculture and Fisheries (in this Act referred to as the Minister) shall, as soon as may be, establish an agricultural wages committee for each county in England and Wales, and an Agricultural Wages Board for England and Wales.

(2) An agricultural wages committee and the Agricultural Wages Board shall respectively be constituted in accordance with the provisions of the First Schedule to this Act and shall be established by order made by the Minister.

(3) The Minister may, if he thinks it expedient, establish one agricultural wages committee for two or more counties instead of a separate committee for each county should resolutions in favour of such combination be passed by the representative members of the committees for the several counties, and thereupon that committee shall be the agricultural wages committee for the combined counties.

(4) Notwithstanding anything in the foregoing provisions of this section, the Minister shall, on the first establishment of agricultural wages committees, establish one committee for each combination of counties specified in the Second Schedule to this Act.

(5) Where one committee has been established for a combination of counties, the Minister at any time thereafter may, and on the representation of the committee by resolution of the representative members shall, dissolve the committee, and until such committee is dissolved the counties included in the combination shall for the purposes of this Act be deemed to be one county.

Duties and powers of agricultural wages committees with respect to minimum rates of wages.

2.—(1) Subject to the provisions of this Act, agricultural wages committees shall fix minimum rates of wages for workers employed in agriculture for time work, and may also, if and so far as they think it necessary or expedient, fix minimum rates of wages for workers employed in agriculture for piece work.

(2) Any such minimum rates may be fixed by a committee so as to apply universally to all workers employed in agriculture in the county for which the committee act, or to any special class of workers so employed, or to any special area in the county, or to any special class in a special area, subject in each case to any exceptions which may be made by the committee for employment of any special character, and so as to vary according as the employment is for a day, week, month, or other period, or according to the number of working hours, or the conditions of the employment, or so as to provide for a differential rate in the case of overtime.

In the exercise of their powers under this subsection a committee shall, so far as is reasonably practicable, secure a weekly half-holiday for workers.

(3) If, on an application in that behalf, a committee are satisfied that any worker employed or desiring to be employed on time work to which a minimum rate fixed under this Act is applicable is so affected by any physical injury or mental deficiency, or any infirmity due to age or to any other cause, that he is incapable of earning that minimum rate, the committee shall grant to the worker a permit exempting, as from the date of the application, or from any later date specified in the permit, the employment of the worker from the provisions of this Act requiring wages to be paid at not less than the minimum rate, subject to such conditions as may be specified in the permit, including if the committee think fit, a condition as to the wages to be paid to the worker; and, while the permit has effect, an employer shall not be liable to any legal proceedings under this Act for paying wages to the worker at a rate less than the minimum rate if the conditions specified in the permit are complied with. If an application for a permit is not disposed of within twenty-one days after the day on which it is received, then the employer of the worker to whom the application relates shall not be liable to any legal proceedings under this Act for paying wages

to the worker at a rate less than the minimum rate during the interval between the expiration of the said period and the date on which the application is ultimately disposed of.

(4) In fixing minimum rates a committee shall, so far as practicable, secure for able-bodied men such wages as in the opinion of the committee are adequate to promote efficiency and to enable a man in an ordinary case to maintain himself and his family in accordance with such standard of comfort as may be reasonable in relation to the nature of his occupation.

(5) A committee may, if they think it expedient, cancel or vary any minimum rate fixed under this Act.

(6) Before fixing, cancelling or varying any minimum rate, the committee shall give such notice as may be prescribed of the rate which they propose to fix or of their proposal to cancel the rate or of the proposed variation of the rate as the case may be, and of the manner in which and the time within which objections to the proposal may be lodged, not being less than fourteen days from the date of the notice, and shall consider any objections to the proposal which may be lodged within the time mentioned in the notice.

Where the proposal is modified in consequence of any objection so lodged, notice of the modified proposal need not be given except where in the opinion of the Agricultural Wages Board the proposal has been altered so materially that a fresh notice ought to be given.

Rates fixed by committees.

3.—(1) Where a committee have fixed any minimum rate of wages or have cancelled or varied any such rate, they shall forthwith send in the prescribed manner to the Agricultural Wages Board notification of their decision.

(2) The Agricultural Wages Board, on receipt of such notification, shall as soon as practicable make such order as may be necessary for the purpose of carrying out the decision of the committee.

(3) The Board shall, as soon as may be after they have made an order under this section, send notification thereof to the committee concerned, and give notice of the making of the order and the contents thereof in the prescribed manner.

(4) Any such minimum rate or the cancellation or variation thereof shall become effective from the date specified in that behalf in the order.

The date to be so specified shall be a date subsequent to the date of the order and where, as respects any employer who pays wages at intervals not exceeding seven days, the date so specified does not correspond with the beginning of the period for which wages are paid by that employer, the rate, or the cancellation or variation thereof, shall become effective as from the beginning of the next such period following the date specified in the order.

Complaints as to inadequate payment for piece work where no minimum piece rate has been fixed.

4. Any worker employed in agriculture in any county on piece work for which no minimum piece rate has been fixed or any person authorised by such a worker may complain to the agricultural wages committee for the county that the piece rate of wages paid to the worker for that work is such a rate as would yield in the circumstances of the case to an ordinary worker a less amount of wages than the minimum rate for time work applicable in the case of that worker and the committee may, on any such complaint after giving the employer an opportunity of making such representations as he thinks desirable, direct that the employer shall pay to the worker such additional sum by way of wages for any piece work done by him at that piece rate at any time within fourteen days before the date of complaint or at any time after the date of complaint and before the decision of the committee thereon as in their opinion represents the difference between the amount which would have been paid if the work had been done by an ordinary worker at the minimum rate for time work and the amount actually received by the worker by whom, or on whose behalf, the complaint is made, and any sum so directed to be paid may be recovered by or on behalf of the worker from the employer summarily as a civil debt.

Power of Agricultural Wages Board to fix, cancel or vary minimum

5. If an agricultural wages committee

(*a*) do not, within two months after the committee are established and a chairman is appointed, fix and notify to the Agricultural Wages Board a minimum rate of wages which they are required to fix under this Act; or

rates in certain cases.

(*b*) fail to fix and notify to the Agricultural Wages Board a minimum rate of wages in substitution for any such rate as aforesaid which, by cancellation or otherwise, has ceased to operate; or

(*c*) by a resolution of the representative members of the committee request the Agricultural Wages Board to fix, cancel, or vary a minimum rate of wages;

the Agricultural Wages Board may, after giving the prescribed notices, by order fix, cancel or vary the rate as the case requires, and for that purpose shall have and may exercise all the powers of the committee.

Power of the Minister to direct the reconsideration of minimum rates.

6. The Minister may direct an agricultural wages committee to reconsider any minimum rate which has been fixed by them, and thereupon the committee shall reconsider the same and notify to the Minister the result of their reconsideration.

Penalties and legal proceedings.

7.—(1) Where any minimum rate of wages has been made effective by an order of the Agricultural Wages Board under this Act, any person who employs a worker in agriculture shall, in cases to which the minimum rate is applicable, pay wages to the worker at a rate not less than the minimum rate, and, if he fails to do so, shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds and to a fine not exceeding one pound for each day on which the offence is continued after conviction.

(2) In any proceedings against a person under this section it shall lie with that person to prove that he has paid wages at not less than the minimum rate.

(3) In any proceedings against an employer under this section the court shall, whether there is a conviction or not, order the employer to pay in addition to the fine, if any, such sum as may be found by the court to represent the difference between the amount which ought at the minimum rate applicable to have been paid to the worker during the period of six months immediately preceding the date on which the information was laid or the complaint was served and the amount actually paid to him during that period.

(4) Where an employer has been convicted under this section for failing to pay wages to any worker at

not less than the minimum rate applicable, then, if notice of intention so to do has been served with the summons, warrant, or complaint, evidence may be given of any failure on the part of the employer to pay wages to that worker at not less than the minimum rate applicable to him at any time during the eighteen months immediately preceding the period of six months mentioned in the last preceding subsection, and on proof of the failure the court may order the employer to pay such sum as is found by the court to represent the difference between the amount which ought to have been paid to the worker by way of wages at the minimum rate applicable during those eighteen months and the amount actually so paid.

(5) Where an offence for which an employer is under this section liable to a fine has in fact been committed by some agent of the employer or other person, that agent or other person shall be liable to be proceeded against for the offence in the same manner as if he were the employer, and either together with, or before or after the conviction of, the employer, and shall be liable on conviction to the same punishment as that to which the employer is liable.

(6) Where an employer who is charged with an offence under this section proves to the satisfaction of the court that he has used due diligence to secure compliance with the provisions of this Act, and that the offence was in fact committed by his agent or some other person without his knowledge, consent, or connivance, he shall, in the event of the conviction of that agent or other person for the offence, be exempt from any conviction in respect of the offence.

(7) Where it appears to any officer appointed by the the Minister under this Act that a sum is due from an employer to a worker on account of the payment of wages to him at less than the minimum rate applicable, or by reason of any direction given by an agricultural wages committee for the payment of an additional sum by way of wages for piece work, the officer (if he is authorised in that behalf by special or general directions of the Minister) may institute, on behalf of or in the name of the worker, civil proceedings before any court of competent jurisdiction for the recovery of the said sum: Provided that in any such civil proceedings

instituted by the officer the court shall, if the officer is not a party to the proceedings, have the same power to make an order for the payment of costs by the officer as if he were a party to the proceedings.

(8) Where a permit granted in respect of a worker under section two of this Act contains a condition for the payment of wages to the worker at a rate not less than the rate therein specified, the amount of wages that may be recovered from an employer of the worker pursuant to subsection (3), subsection (4), or subsection (7) of this section shall, as respects any period during which the permit had effect, be calculated on the basis of the rate so specified instead of on the basis of the minimum rate.

(9) The powers given by this section for the recovery of sums due from an employer to a worker shall not be in derogation of any right of the worker to recover such sums by civil proceedings.

(10) Any agreement for the payment of wages in contravention of this Act, or for abstaining to exercise any right of enforcing the payment of wages in accordance with this Act, shall be void.

(11) Subject to any definition under this Act of the benefits or advantages which may be reckoned as payment of wages in lieu of cash and the value at which they are to be reckoned, and to any limitation or prohibition under this Act of the reckoning of benefits or advantages as payment of wages in lieu of cash, the court may, in any proceedings under this Act, reckon as a payment of wages such amount as in the opinion of the court represents the value of any benefits or advantages (not being benefits or advantages prohibited by law) received by a worker under the terms of his employment.

Regulations.

8.—(1) The Minister shall, in addition to any special power to make regulations given to him under this Act, have power to make regulations for the following purposes—

(*a*) for requiring the wages committees by order to define the benefits or advantages (not being benefits or advantages prohibited by law) which may be reckoned as payment of wages in lieu of payment in cash and the value at which they

are to be reckoned, and for enabling the committees by order to limit or prohibit the reckoning of benefits or advantages as payment of wages in lieu of cash, and for enabling the committees on the application of any employer or worker, to determine any question which may arise as to the value of any such benefits or advantages, or generally as to any contract of employment so far as the application of this Act thereto is concerned;

(*b*) for requiring the agricultural wages committees by order to define, for the purposes of any differential rate for overtime, the employment which is to be treated as overtime employment;

(*c*) for requiring a committee, if so directed by the Minister, to reconsider any such order as aforesaid made by them and to notify to the Minister the result of their reconsideration;

(*d*) for requiring the Agricultural Wages Board, if so requested by a resolution of the representative members of a wages committee, to perform any duty or exercise any power of the committee under any regulation made under this section, or requiring the Board to perform any such duty which a committee has failed to perform within such time as may be prescribed by the regulation, and for applying for that purpose as respects the Board any provisions of this section relating to committees;

(*e*) for prescribing the procedure to be followed on or in connection with applications or complaints to the committees or sub-committees; and

(*f*) as to the notice to be given of any matter under this Act, with a view to bringing, so far as practicable, the matter of which notice is to be given to the knowledge of persons affected.

(2) Any regulation made under this Act shall be laid before both Houses of Parliament forthwith; and, if an address to His Majesty is agreed to by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation

may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or the making of a new regulation.

Appointment and powers of officers.

9.—(1) The Minister may appoint a secretary for the Agricultural Wages Board and a secretary for each agricultural wages committee and, subject to the consent of the Treasury as to number, such officers as he thinks necessary for the purpose of investigating complaints and otherwise securing the proper observance of this Act.

(2) Any officer so appointed shall have power—

(*a*) after giving reasonable notice to require the production of and to inspect and take copies of wages sheets or other records of wages paid to workers employed in agriculture;

(*b*) to enter at all reasonable times any premises or place for the purpose of such inspection or for the enforcement of this Act, but in the case of a dwelling-house not without giving reasonable notice; and

(*c*) to require any such worker, or the employer of any such worker, or any agent of the employer to give any information which it is in his power to give with respect to the employment of the worker or the wages paid to him.

(3) If any person—

(*a*) hinders or molests any officer acting in the exercise of his powers under this section; or

(*b*) refuses to produce any document or give any information which any such officer lawfully requires him to produce or give; or

(*c*) produces or causes to be produced or knowingly allows to be produced any wages sheet, record or other document which is false in any material particular to any such officer knowing the same to be false; or

(*d*) furnishes any information to any such officer knowing the same to be false,

he shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

(4) Any officer so appointed shall have power in pursuance of any special or general directions of the Minister to take proceedings in respect of offences against this Act.

(5) Any officer so appointed may, although not a barrister or solicitor, prosecute or conduct before a court of summary jurisdiction any proceedings arising under this Act.

Officers to produce certificates when required.

10. Every officer appointed by the Minister for the purpose of investigating complaints and securing the proper observance of this Act shall be furnished by the Minister with a certificate of his employment, and when acting under or exercising any power conferred upon him by this Act shall, if so required, produce the said certificate to any person or persons affected.

Expenses.

11. Any expenses of the Minister and any expenses of the Agricultural Wages Board, or any agricultural wages committee or sub-committee, which are sanctioned by the Minister, including any expenses incurred with such sanction by any members of the Board, or of such committee or sub-committee in the performance of their duties, and any sums paid with such sanction to any such members by way of compensation for loss of time, in each case up to an amount approved by the Treasury, but not exceeding in the aggregate the sum of seventy thousand pounds in any one year, shall be defrayed out of moneys provided by Parliament.

Annual Report.

12. The Minister shall make an annual report to Parliament of his proceedings under this Act and of the proceedings of the agricultural wages committees and of the Agricultural Wages Board, and for that purpose each committee and the Board shall, before such date in every year as the Minister may fix, send to the Minister a report of their proceedings under this Act during the preceding year.

Evidence of resolutions and orders of committee and Board.

13. In any legal proceedings the production of a document purporting to be a copy of a resolution or order passed or made by an agricultural wages committee or the Agricultural Wages Board, and certified to be a true copy by the chairman or secretary of the committee or Board, shall be sufficient evidence of the resolution or order, and that any notices required to be

given hy this Act in relation to the resolution or order have been duly given, and no proof shall be required of the handwriting or official position of the person certifying the same.

Saving of agreements, &c.

14. Nothing in this Act shall prejudice the operation of any agreement or custom for the payment of wages at a rate higher than the minimum rate fixed under this Act.

Application to county of London.

15. An agricultural wages committee shall not be established for the county of London, but such portions of that county as the Minister may by order define shall, for the purposes of this Act, be deemed to be included in such other counties as may be specified in the order.

Definitions.

16.—(1) In this Act unless the context otherwise requires—

Walters v Wright 1938 W.N. 343.

The expression "agriculture" includes dairy-farming and the use of land as grazing, meadow, or pasture land or orchard or osier land or woodland or for market gardens or nursery grounds;

The expression "worker" includes a boy, woman and girl;

The expression "employment" means employment under a contract of service or apprenticeship, and the expressions "employed" and "employer" shall be construed accordingly;

The expression "special class of workers" means in relation to an order or resolution fixing, varying or cancelling a rate of wages, such workers as are treated in the order or resolution as constituting a special class;

The expression "county" means an administrative county, and, for the purposes of this Act, a county borough which is surrounded by an administrative county shall be deemed to be included in that county, and a county borough which adjoins two or more administrative counties shall be deemed to be included in such of those counties as the Minister may direct, and any detached part of an administrative county shall be deemed to be included in the adjoining administrative county or if it adjoins two or more administrative counties shall be deemed to be included

in such of those counties as the Minister may direct;

The expression "prescribed" means prescribed by regulations made under this Act.

(2) For the purposes of this Act, the Scilly Isles shall be deemed to be a county, and the area comprising the Ulverston Rural District and the Grange, Ulverston and Dalton-in-Furness Urban Districts shall, if the Minister so directs, be deemed to be a detached part of the county of Lancaster.

(3) A resolution passed at a meeting of an agricultural wages committee unanimously by the representative members of the committee present and voting, shall be deemed to be a resolution of the representative members for the purposes of this Act.

17. Section four of the Corn Production Acts (Repeal) Act, 1921, is hereby repealed. Repeal. 11 & 12 Geo. 5. c. 48.

18. This Act may be cited as the Agricultural Wages (Regulation) Act, 1924, and shall not apply to Scotland or Northern Ireland. Short title and extent

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SCHEDULES.

FIRST SCHEDULE. Section 1.

CONSTITUTION AND PROCEEDINGS OF AGRICULTURAL WAGES COMMITTEES AND THE AGRICULTURAL WAGES BOARD.

AGRICULTURAL WAGES COMMITTEES.

1. An agricultural wages committee shall consist of members representing employers and members representing workers in agriculture in the county for which the committee act (in this Act referred to as representative members), in equal proportions, of two impartial members appointed by the Minister and of a chairman.

2. The representative members shall be either nominated or elected as may be provided by regulations made under this schedule, and shall be nominated or elected in the manner prescribed by such regulations.

3. The chairman of an agricultural wages committee shall be appointed annually by the committee, but, if the committee at any time fail to appoint a chairman within the prescribed period, the appointment may be made by the Minister.

A committee may nominate one or more persons for the office of vice chairman, and the chairman may from time to time appoint one of those persons to act in his place as vice chairman in his absence.

A representative member of a committee shall not be qualified to be appointed chairman or vice chairman of the committee of which he is a member.

4. At every meeting of a committee the chairman, if present, shall preside. If the chairman is absent, the vice chairman, if present, shall preside. If both the chairman and vice chairman are absent, such member as the members then present choose shall preside.

5. At a meeting of a committee the chairman or a vice-chairman presiding at the meeting in his absence shall be entitled to vote, and in case of equality of votes shall have a second or casting vote, but before exercising his right to vote the chairman or vice-chairman, if so authorised by a resolution of the representative members of the committee, may obtain the advice of the Agricultural Wages Board or a committee of that board as to the exercise of such right, and may adjourn the meeting in order to enable him to do so.

6. A committee may, in accordance with regulations under this schedule, appoint one or more sub-committees consisting of persons representing employers and persons representing workers in agriculture in the county in equal proportions, and of a chairman, if the committee think fit, and the committee may refer to any such sub-committee for report and recommendations any matter which they think it expedient so to refer, and may also, if they think fit, delegate to any such sub-committee any of their powers and duties under this Act other than their power or duty to fix, cancel, or vary minimum rates of wages. The members of a sub-committee may, but need not be, members of the committee by which the sub-committee is appointed.

AGRICULTURAL WAGES BOARD.

7. The Agricultural Wages Board shall consist of members representing employers and members representing workers in

agriculture (in this Act referred to as representative members) in equal proportions together with such number of members (in this Act referred to as appointed members) as the Minister may think fit to appoint, but so that the number of appointed members shall not exceed one-quarter of the total number of members of the Board when fully constituted.

8. The representative members shall be either nominated or elected as may be provided by regulations made under this schedule, and shall be nominated or elected in the manner prescribed by such regulations.

9. The chairman of the Board shall be such one of the appointed members as the Minister may nominate. At every meeting of the Board the chairman if present shall preside, and, if he is absent, such appointed member as the members then present choose shall preside.

10. At least one member of the Board shall be a woman.

11. The Board may, in accordance with regulations under this Schedule, appoint one or more committees consisting of members representing employers and members representing workers in agriculture in equal proportions and of one or more appointed members, and may refer to any such committee for report and recommendations any matter which they think it expedient so to refer, and may also, if they think fit, delegate to any such committee any of their powers and duties under this Act, other than any power or duty to fix, cancel, or vary minimum rates of wages.

GENERAL.

12. The proceedings of an agricultural wages committee or sub-committee or of the Agricultural Wages Board or any committee thereof shall not be invalidated by any vacancy in their number or by any defect in the appointment, nomination or election of the chairman, vice chairman or any member of the committee, sub-committee or Board.

13. The Minister may make regulations with respect to the proceedings and meetings of agricultural wages committees, sub-committees and the Agricultural Wages Board and any committee thereof including the appointment of chairmen and the term of office of chairmen and other members, the method of voting and the number of members necessary to form a quorum, and any such regulations as to committees or sub-committees may be made so as to apply generally to the

procedure of all committees or sub-committees or specially to the procedure of any particular committee or sub-committee; but, subject to the provisions of this Schedule and to any regulations so made, an agricultural wages committee, a sub-committee and the Agricultural Wages Board and any committee thereof may respectively regulate their proceedings in such manner as they think fit.

Section 1.

SECOND SCHEDULE.

COUNTIES AND COMBINED COUNTIES FOR WHICH THE FIRST AGRICULTURAL WAGES COMMITTEES ARE TO BE ESTABLISHED.

COMBINATIONS OF COUNTIES FOR WHICH COMMITTEES ARE TO BE ESTABLISHED ON THE FIRST ESTABLISHMENT OF COMMITTEES.

Counties of Bedford and Huntingdon.
Counties of Cambridge and Isle of Ely.
Counties of Cornwall and Scilly Isles.
Counties of Cumberland and Westmorland.
Counties of Leicester and Rutland.
Counties of Lincoln, Parts of Kesteven and Lincoln, Parts of Lindsey.
Counties of Northampton and Soke of Peterborough.
Counties of Southampton and Isle of Wight.
Counties of East Suffolk and West Suffolk.
Counties of East Sussex and West Sussex.
Counties of Anglesey and Carnarvon.
Counties of Denbigh and Flint.
Counties of Merioneth and Montgomery.
Counties of Pembroke and Cardigan.
Counties of Radnor and Brecknock.

CHAPTER 38.

An Act to consolidate the enactments relating to National Health Insurance. [7th August 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

Insured Persons and Benefits.

Insured Persons.

Insured persons.

1.—(1) Subject to the provisions of this Act, all persons of the age of sixteen and upwards who are employed within the meaning of this Act shall be, and any such persons who are not so employed but who possess the qualifications hereinafter in this section mentioned may be, insured in manner provided in this Act, and all persons so insured (in this Act referred to as "insured persons") shall be entitled in the manner provided by, and subject to the conditions contained in, this Act to the benefits in respect of health insurance and prevention of sickness conferred by this Act.

(2) The persons employed within the meaning of this Act (in this Act referred to as "employed contributors") shall include all persons of either sex, whether British subjects or not, who are engaged in any of the employments specified in Part I. of the First Schedule to this Act, not being employments specified in Part II. of that Schedule:

Provided that, subject to the approval of the Treasury, provision may be made by special order for including among the persons employed within the meaning of this Act any persons engaged in any of the excepted employments specified in Part II. of the said Schedule, either unconditionally or subject to such conditions as may be specified in the order.

(3) The persons not employed within the meaning of this Act who are entitled to be insured persons (in this Act referred to as "voluntary contributors") include, subject to the provisions of this Act, the following persons, that is to say:—

(*a*) All persons who, having been employed within the meaning of this Act and insured as employed contributors for a period whether continuous or not of one hundred and four weeks or upwards, have ceased to be so employed and who give notice within the prescribed time and in the prescribed manner that they desire to become voluntary contributors:

(*b*) All persons engaged in any excepted employment as respects whom the Minister is satisfied that in the special circumstances they should be allowed to be voluntary contributors:

(*c*) All persons who were at the commencement of this Act by virtue of the enactments repealed by this Act entitled to be voluntary contributors under those enactments, and have since that date continued to be insured persons.

Exempt persons.

2.—(1) Where any person employed within the meaning of this Act proves that he—

(*a*) is in receipt of any pension or income of the annual value of twenty-six pounds or upwards not dependent on his personal exertions; or

(*b*) is ordinarily and mainly dependent for his livelihood on some other person; or

(*c*) is ordinarily and mainly dependent for his livelihood on the earnings derived by him from an occupation which is not employment within the meaning of this Act; or

(*d*) has not been employed within the meaning of this Act for the prescribed number of weeks during any prescribed period;

he shall be entitled to a certificate exempting him from the liability to be insured under this Act.

(2) All claims for exemption shall be made to, and certificates of exemption granted by, the Minister in the prescribed manner and subject to the prescribed conditions, and, if so prescribed, any such claims may be made to, and any such certificates may be granted by, approved societies and insurance committees.

(3) A person holding a certificate of exemption under this section is in this Act referred to as "an exempt person."

Position of insured persons ceasing to be employed or to pay contributions as voluntary contributors.

3.—(1) Where an insured person, being an employed contributor and a member of an approved society, ceases to be employed within the meaning of this Act, he shall, for a period of twelve months commencing next after the end of the contribution week in which he ceased to be so employed, for all purposes be treated as if he were an employed contributor insured under this Act:

Provided that—

(*a*) Where any such person ceased to be employed as aforesaid by reason of entering on some prescribed class of occupation in connection with the late war, not being employment within the meaning of this Act (in this section referred to as "war occupation") he shall, subject to such conditions with respect to payment of contributions and otherwise as may be prescribed, remain an insured person until two months after the termination of the war occupation, or until the expiration of twelve months from the date on which he ceased to be employed as aforesaid, whichever date is the later; and

(*b*) If any such person is a person receiving training, whether in technical institutions or otherwise, under any Order in Council, Royal Warrant, or order relating to pensions granted to persons in respect of disablement in consequence of the late war, the period during which he is to remain an insured person shall, subject to such conditions with respect to payment of contributions and otherwise as may be prescribed, be extended for such period as may be prescribed.

(2) A voluntary contributor being a member of an approved society shall, for a period of twelve months commencing next after the end of the contribution week in respect of which the last contribution paid by him as a voluntary contributor was paid, be treated as if he were a voluntary contributor insured under this Act.

(3) In calculating for the purposes of this section the said period of twelve months no account shall be taken of any period during which the person who has so ceased to be employed or to pay contributions is rendered incapable of work by reason of some specific disease or by bodily or mental disablement of which notice is given within the prescribed time, or of any period after a person has attained the age of seventy years, or in the case of a woman who is an insured person, of the period of four weeks after her confinement.

(4) Where any person has ceased to be an insured person he shall, if he subsequently becomes employed within the meaning of this Act, be treated as if he had not previously been an insured person.

Contributions.

Contributions by insured persons, employers, and the Treasury. 3 & 4 Geo. 5. c. 37.

4. Except as otherwise provided by this Act and subject to the provisions of section one of the National Insurance Act, 1913, the funds required for defraying the cost of the benefits conferred by this Act and the expenses of the administration of those benefits shall be derived as to seven-ninths thereof from contributions made by or in respect of the contributors by themselves or their employers, and as to the remaining two-ninths thereof from moneys provided by Parliament.

Rates of contribution

5.—(1) The contributions payable under this Act in respect of employed contributors shall be at the rate set out in the Second Schedule to this Act (in this Act referred to as " the employed rate "), and shall comprise contributions by the contributors and contributions by their employers at the rates specified in that Schedule.

(2) The contributions payable by voluntary contributors shall be at the employed rate :

Provided that, in the case of a voluntary contributor resident in Great Britain who is not entitled to receive medical benefit, the weekly contribution which would otherwise have been payable shall be reduced by twopence, and there shall be credited to the society of which the contributor is a member, or, if he is a deposit contributor, to the Deposit Contributors Fund, the difference between the amount of the contributions actually paid by him at the reduced rate and the amount which would have been paid if those contributions had been at the full rate, and the amount of that difference shall be treated as having been expended on benefits, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament.

(3) Where it is proved to the satisfaction of the Minister that a trade or business carried on by any employer is of a seasonal nature and subject to periodical fluctuation, and that the employer systematically employs persons throughout the year and works short time during the season when the trade or business is depressed, provision may be made by special order for reducing, as respects those persons, the employed rate and the contributions payable by the employer and contributors to such extent and for such period in the year as may be specified in the order, and for increasing the rate and contributions to a corresponding extent and for a corresponding period during the remainder of the year, and the order may contain such incidental, supplemental and consequential provisions as may appear necessary for adapting the other provisions of this Act to cases under this subsection.

Liability of employer to pay contribution in respect of exempt person.

6.—(1) The employer of an exempt person shall be liable to pay the employer's contributions in respect of him in the same manner as if that person had been an employed contributor, and contributions so payable shall, in the case of a master or seaman serving on a foreign-going ship, be at the rate which would have been payable by the employer if the employed person had not been an exempt person, and, in any other case, be at the rate of fivepence per week.

(2) Contributions paid under this section shall be carried to such account and dealt with in such manner as may be prescribed.

Manner in which contributions are to be paid.

7.—(1) Contributions shall be payable at weekly or other prescribed intervals.

(2) In the case of an employed contributor, the employer shall, in the first instance, pay both the contributions payable by himself (in this Act referred to as "the employer's contributions"), and also on behalf of the employed contributor the contributions payable by the contributor, and shall be entitled in accordance with and subject to the provisions of this Act to recover from the contributor by deduction from his wages or otherwise the amount of the contributions so paid by him on behalf of the contributor.

(3) Contributions payable in respect of an employed contributor or by a voluntary contributor shall cease to be payable on his attaining the age of seventy.

(4) Where an employed contributor in respect of whom less than one hundred and four weekly contributions have been paid ceases to be employed within the meaning of this Act, he shall, if he proves to the approved society of which he is a member, or if in the case of a dispute it is decided in manner provided by this Act, that he is or was unemployed owing either to incapacity for work due to some specific disease or bodily or mental disablement or to inability to obtain employment, be entitled, within and in respect of the prescribed time, to pay contributions at the employed rate in respect of the period of unemployment.

Power to make regulations with respect to payment of contributions, and provision as to stamps.

8.—(1) Subject to the provisions of this Act, provision may be made by regulations for any matters incidental to the payment and collection of contributions payable under this Act, and in particular for—

(*a*) payment of contributions by means of adhesive or other stamps affixed to or impressed upon books or cards or otherwise, and regulating the manner, times and conditions in, at and under which such stamps are to be affixed or impressed or payments are otherwise to be made:

(*b*) the entry in or upon books or cards of particulars of contributions paid and benefits distributed

in the case of the insured persons to whom those books or cards relate :

(*c*) the issue, sale, custody, production and delivery up of books or cards, and the replacement of books or cards which have been lost, destroyed or defaced.

(2) Stamps required for the purposes of this Act shall be prepared and issued in such manner as the Postmaster-General, with the consent of the Treasury, may direct, and the Postmaster-General may make regulations applying, with the necessary adaptations, as respects any such stamps, all or any of the provisions (including penal provisions) of the Stamp Duties Management Act, 1891, as amended by or in pursuance of any subsequent enactment, and section sixty-five of the Post Office Act, 1908, and may provide for the sale of such stamps through the Post Office. 54 & 55 Vict. c. 38. 8 Edw. 7. c. 48.

(3) The provisions of this Act relating to the laying before Parliament, the effect and the annulling, of regulations shall apply to regulations made by the Postmaster-General under this section.

General rules as to payment of contributions in respect of employed contributors and recovery by employers of amounts paid on behalf of contributors.

9.—(1) A weekly contribution shall be payable for each week during the whole or any part of which an employed contributor has been employed :

Provided that—

(*a*) Where one weekly contribution has been paid in respect of a contributor for any week, no further contribution shall be payable in respect of him for the same week; and

(*b*) Where

(i) no services have been rendered by a contributor during any week and no remuneration is paid in respect of that week; or

(ii) no services have been rendered by a contributor during any week and the contributor has been rendered incapable of work by reason of some specific disease or

bodily or mental disablement for the whole or any part of that week,

the employer shall not be liable to pay any contribution either on his own behalf or on behalf of the contributor in respect of that week.

(2) Where the contributor receives any wages or other pecuniary remuneration from the employer, the amount of any contribution paid by the employer on behalf of the contributor shall, notwithstanding the provisions of any Act or any contract to the contrary, be recoverable by means of deductions from the wages or other remuneration of the contributor, and not otherwise:

Provided that no such deduction may be made from any wages or remuneration other than such as are paid in respect of the period or part of the period in respect of which the contribution is payable, or in excess of the sum which represents the amount of the contributions for the period, if that period is longer than a week, in respect of which the wages or other remuneration are paid.

(3) Where the contributor does not receive any wages or other pecuniary remuneration from the employer but receives such remuneration from some other person, a contribution paid by the employer on behalf of the contributor shall, without prejudice to any other means of recovery, be recoverable summarily as a civil debt, if proceedings for the purpose are instituted within three months from the date on which the contribution was payable.

(4) Where the contributor does not receive wages or other pecuniary remuneration either from his employer or from any other person, the employer shall be liable to pay the contributions payable both by himself and the contributor, and shall not be entitled to recover any part thereof from the contributor.

(5) Where the contributor is employed by more than one employer in any week, the employer who first employs him in that week or such other employer or employers as may be prescribed shall be

deemed to be the employer for the purposes of the provisions of this Act relating to the payment of contributions.

(6) Regulations may provide that in any cases or classes of cases where contributors work under the general control and management of some person other than their immediate employer, such as the owner, agent or manager of a mine or quarry, or the occupier of a factory or workshop, that person shall, for the purposes of the provisions of this Act relating to the payment of contributions, be treated as the employer, and may provide for allowing him to deduct the amount of any contributions, other than employer's contributions, which he may become liable to pay from any sums payable by him to the immediate employer, and for enabling the immediate employer to recover from the contributors the like sums and in the like manner as if he were liable to pay the contributions.

(7) Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct from the wages of, or otherwise to recover from, the contributor the employer's contribution.

(8) Any sum deducted by any employer from wages or other remuneration under this section shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

(9) Regulations may provide that in the case of outworkers the contributions to be paid may be determined by reference to the work actually done, instead of by reference to the weeks in which work is done, and any such regulations may apply to all trades or to any specified classes or branches of trades, and may determine the conditions to be complied with by employers who adopt such a system of payment of contributions.

(10) In this section the expression "week" means a contribution week.

Benefits conferred by the Act, and the Administration thereof.

Benefits conferred by Act on insured persons.

10.—(1) Subject to the provisions of this Act, the benefits conferred by this Act upon insured persons (in this Act referred to as "benefits") are:—

(*a*) Medical treatment and attendance (in this Act called "medical benefit"):

(*b*) Periodical payments while rendered incapable of work by some specific disease or by bodily or mental disablement of which notice has been given, commencing on the fourth day of the incapacity and continuing for a period not exceeding twenty-six weeks (in this Act called "sickness benefit"):

(*c*) In the case of the disease or disablement continuing after the termination of the period during which sickness benefit may continue, periodical payments during the continuance of the incapacity for work (in this Act called "disablement benefit"):

(*d*) A payment in the case of the confinement of the wife or, where the child is a posthumous child, of the widow of an insured person, or of any other woman who is an insured person (in this Act called "maternity benefit"):

(*e*) In the case of persons entitled under this Act to any of the further benefits mentioned in the Third Schedule to this Act (in this Act called "additional benefits"), such of those benefits as those persons may be entitled to.

(2) In this section the expression "medical treatment and attendance" includes the provision of proper and sufficient medicines and of the prescribed medical and surgical appliances, but does not include treatment or attendance in respect of a confinement.

(3) For the purposes of paragraph (*b*) of subsection (1) of this section, a day on which the incapacitated person was prevented by the incapacity from doing any effective work shall be treated as a day of incapacity,

but a Sunday shall not be so treated, unless the incapacitated person would but for the incapacity have worked on that day.

Future extension of benefits.

11. As soon as the sums credited to approved societies as reserve values have been written off in manner provided by this Act, the benefits payable to insured persons under this Act shall be extended in such manner as Parliament may determine.

Medical benefit.

12.—(1) Medical benefit shall be administered by and through the insurance committee.

(2) A person who is of the age of sixty-five years or upwards at the time of entering into insurance shall not be entitled to medical benefit after he attains the age of seventy, unless the number of weekly contributions paid by or in respect of him exceeds twenty-six.

(3) A voluntary contributor whose total income from all sources exceeds two hundred and fifty pounds a year shall not be entitled to medical benefit.

(4) An employed contributor or a voluntary contributor who by virtue of the provisions of this Act remains an insured person after ceasing to be employed or to pay contributions, as the case may be, shall be entitled to medical benefit until the thirtieth day of June or the thirty-first day of December, whichever first occurs, next after the expiration of a period of six months from the date on which he ceases to be an insured person.

(5) Provision shall be made by regulations for applying the contributions paid in respect of exempt persons in providing medical benefit for those persons and defraying the cost of the administration thereof, and those persons shall, if they fulfil the prescribed conditions, become entitled to medical benefit as if they were members of approved societies, and the provisions of this Act with respect to the provision and administration of medical benefit (including provisions relating to the application of moneys provided by Parliament towards the cost of medical benefit and of the administration thereof) shall, subject to any prescribed modifications, adaptations and exceptions, apply accordingly :

Provided that—

(*a*) the prescribed conditions shall not require payment of upwards of twenty-six weekly contributions before the person becomes entitled to benefit; and

(*b*) where the total income from all sources of an exempt person exceeds one hundred and sixty pounds a year, he shall be required to make his own arrangements for receiving medical treatment and attendance, and the provisions of this Act relating to persons allowed to make such arrangements shall apply accordingly.

(6) Subject to the consent of the Treasury, provision may be made by regulations for the administration of any medical treatment and attendance the cost of which may be defrayed out of any sums which may be voted by Parliament in addition to the moneys required for defraying the two-ninths share of the cost of benefits under this Act and of the expenses of the administration thereof.

(7) A person shall not be disentitled to medical benefit by reason that he is, under the rules of an approved society or insurance committee, suspended from sickness or disablement benefit on the ground that his disease or disablement was caused by his own misconduct.

Administration and rates of, and general provisions as to, sickness and disablement benefits.

13.—(1) Sickness benefit and disablement benefit shall, in the case of an insured person who is a member of an approved society, be administered by and through the society or a branch thereof, and, in the case of an insured person who is not such a member, shall, subject to the provisions of this Act, be administered by and through the insurance committee.

(2) The ordinary rate of sickness benefit shall be, in the case of a man, the sum of fifteen shillings a week, and, in the case of a woman, the sum of twelve shillings a week, throughout the whole period of twenty-six weeks, and the rate of disablement benefit shall be a sum of seven shillings and sixpence a week for men and women alike:

Provided that, until one hundred and four weeks have elapsed since the entry of an insured person into insurance and one hundred and four weekly contributions have been paid by or in respect of that person, the rate of sickness benefit to which that person shall be entitled shall be, in the case of a man, nine shillings a week, and, in the case of a woman, seven shillings and sixpence a week.

(3) An insured person shall not be entitled to—

(*a*) sickness benefit, until twenty-six weeks have elapsed since his entry into insurance, and twenty-six weekly contributions have been paid by or in respect of him:

(*b*) disablement benefit, until one hundred and four weeks have elapsed since his entry into insurance, and one hundred and four weekly contributions have been paid by or in respect of him.

(4) Where an insured person who claims to be entitled to sickness or disablement benefit fails to give notice of the disease or disablement on or before the third day of the incapacity, benefit shall, subject as hereinafter provided, commence only on the day following the date on which the notice is given, or, if the disease or disablement is under the provisions of this section deemed to be a continuation of a previous disease or disablement, on the day next but one before that date:

Provided that, if the society or committee administering the benefit are satisfied, or if in the case of a dispute it is decided in manner provided by this Act, that in the circumstances of the case the insured person was not reasonably able to give notice either before the date on which it was in fact given or before some earlier date being a date more than three days after the commencement of the incapacity, he shall be entitled to benefit commencing on the fourth day of the incapacity, or, in the case of a disease or disablement which is deemed as aforesaid to be a continuation of a previous disease or disablement, commencing on the first day of the incapacity, so, however, that where the

insured person only proves inability to give notice before some date earlier than the date on which notice was in fact given, he shall not be entitled to benefit for the period commencing on the day next after that earlier date and ending on the date of the notice.

For the purposes of this subsection, notice sent by post shall be deemed to have been given on the day on which the letter containing the notice was posted.

(5) Where an insured person who has been in receipt of sickness benefit recovers from the disease or disablement in respect of which the benefit was payable, any disease or disablement occurring subsequently (whether the same disease or disablement or not), shall be deemed to be a continuation of the previous disease or disablement unless in the meantime a period of at least one year has elapsed.

(6) Where by virtue of the special provisions of this Act applicable to contributors entitled to compensation or damages, a part only of sickness benefit has been paid to an insured person, he shall, for the purpose of determining the rate and duration of benefit, be treated as having been in receipt of sickness benefit for a period bearing the same proportion to the whole period in respect of which that part benefit was paid to him as that part bears to the whole benefit, and the period so resulting shall be deemed to have been continuous and to have expired on the last day of the incapacity in respect of which the partial benefit was paid.

(7) A woman who is a married woman or a widow confined of a posthumous child shall not in any case be entitled to sickness benefit or disablement benefit for a period of four weeks after her confinement, and no other woman shall be entitled to sickness benefit or disablement benefit for the period aforesaid unless she is an insured person and suffering from disease or disablement not connected directly or indirectly with her confinement.

(8) The right of an insured person to sickness benefit and disablement benefit shall cease on his attaining the age of seventy.

(9) Where a pension or superannuation allowance is payable by an approved society in whole or in part as an additional benefit under this Act, or out of any fund to which contributions have been made in accordance with paragraph 10 of the Third Schedule to this Act, it may be made a condition of the grant of the pension or allowance that the person entitled to the payment shall, while in receipt thereof, be excluded in whole or in part from his right to sickness benefit and disablement benefit, or to either of such benefits.

Maternity benefit.

14.—(1) The amount of maternity benefit shall be a sum of forty shillings.

(2) Maternity benefit shall, in the case of an insured person who is a member of an approved society, be administered by and through the society or a branch thereof, and, in the case of an insured person who is not such a member shall, subject to the provisions of this Act, be administered by and through the insurance committee.

(3) No insured person shall be entitled to maternity benefit until forty-two weeks have elapsed since his entry into insurance, and unless in the case of a person who entered into insurance on or after the seventh day of February, nineteen hundred and eighteen, forty-two weekly contributions have been paid by or in respect of him, or, in the case of a person who entered into insurance before that date twenty-six, or if he is a voluntary contributor fifty-two, weekly contributions have been so paid.

(4) Where a woman confined of a child is herself an insured person and is a married woman, or, if the child is a posthumous child, a widow, she shall be entitled to receive a maternity benefit (in this Act referred to as "the second maternity benefit") from the society of which she is a member or the insurance committee, as the case may be, in addition to any maternity benefit to which she may be otherwise entitled in respect of her husband's or her own insurance, and every approved society and insurance committee shall make rules to the satisfaction of the Minister requiring any woman in respect of whom any such sum is payable in respect of her own insurance

to abstain from remunerative work during a period of four weeks after her confinement.

(5) Where a woman who is an employed contributor is the wife, or, if the child is a posthumous child, the widow, of an insured person, then—

(*a*) If her husband is, or was at the date of his death, a member of an approved society, and by reason of an insufficient number of contributions having been paid by or in respect of him, or on account of arrears, no maternity benefit is payable in respect of his insurance, she shall, on her confinement, be entitled to receive in respect of her own insurance such sum as she would have been entitled to receive if her husband had not been an insured person; and

(*b*) If her husband is, or was at the date of his death, a deposit contributor, and by reason of an insufficient number of contributions having been paid by or in respect of him, or of the insufficiency of the sum standing to his credit in the Deposit Contributors Fund, no maternity benefit or a sum less than the full maternity benefit is payable in respect of his insurance, she shall, on her confinement, be entitled to receive in respect of her own insurance, such sum as, with the sum, if any, payable in respect of her husband's insurance, is equal to the sum she would have been entitled to receive if her husband had not been an insured person.

(6) Maternity benefit shall in every case be the mother's benefit and shall be administered in the interests of the mother and child in cash or otherwise by the approved society of which she is, or, where she is entitled to benefit in respect of her husband's insurance, her husband is or was, a member, or if she or, where she is entitled to benefit in respect of her husband's insurance, her husband, is or was not a member of an approved society, by the insurance committee:

Provided that the mother shall decide whether she shall be attended by a duly qualified medical practitioner or by a duly certified midwife and shall have free choice in the selection of the medical practitioner or midwife.

(7) Where the benefit is payable in respect of the husband's insurance, the wife's receipt, or his receipt, if authorised by her, shall be a sufficient discharge to the society or committee, and where the benefit is paid to the husband he shall pay it to the wife.

Power to prescribe reduced rates of benefit where contributions are in arrear.

15.—(1) Regulations may be made for the following purposes—

(*a*) for providing, subject to the provisions of this section, for the reduction, postponement or suspension of benefits (other than medical benefit) in the case of insured persons who are in arrears, and with respect to the effect and amount of payments made and to be made by insured persons by way of cancelling arrears, and any regulations with respect to the matters aforesaid may make with respect to voluntary contributors provisions differing from those made with respect to employed contributors:

(*b*) for empowering approved societies to terminate the membership of any person, being a voluntary contributor, whose arrears during the prescribed period exceed the prescribed number, or of any person, being an employed contributor, whose arrears during the prescribed period exceed the prescribed number, and who is entitled to obtain a certificate of exemption under this Act as being a person who has not been employed for the prescribed number of contribution weeks during any prescribed period:

(*c*) for prescribing the period to which any contribution paid by a voluntary contributor who is in arrears is to be allocated, and providing that for any prescribed purposes any such contribution shall be deemed to have been paid in respect of the period to which it is allocated.

(2) For the purpose of any regulations made under this section, any person who has been employed within the meaning of this Act for less than the prescribed period in each of two consecutive years, and who for a substantial part of the period during which he was not so employed in each such year was not so employed for some reason other than incapacity for work due

to some specific disease or bodily or mental disablement of which notice has been given within the prescribed time or inability to obtain employment within the meaning of this Act, shall be deemed to be a voluntary contributor.

(3) In calculating arrears of contributions, no account shall be taken of arrears accruing—

(*a*) during any period during which the person in question was incapable of work by reason of some specific disease or of bodily or mental disablement of which notice was given within the prescribed time; or

(*b*) in the case of a woman who is herself an insured person, during two weeks before and four weeks after her confinement, or in the case of maternity benefit payable in respect of the posthumous child of an insured person, during the period subsequent to the father's death.

Special provisions applicable to contributors entitled to compensation or damages. 6 Edw. 7. c. 58. 43 & 44 Vict. c. 42.

16.—(1) Where an insured person has received or recovered or is entitled to receive or recover, whether from his employer or any other person, any compensation or damages under the Workmen's Compensation Act, 1906, as amended by any subsequent enactment, or under any scheme certified thereunder, or under the Employers' Liability Act, 1880, or at common law, in respect of any injury or disease, the following provisions shall have effect:—

(*a*) No sickness benefit or disablement benefit shall be paid to the insured person in respect of that injury or disease in any case where any weekly sum or the weekly value of any lump sum paid or payable by way of compensation or damages is equal to or greater than the benefit otherwise payable to that person, and where any such weekly sum or the weekly value of any such lump sum is less than the benefit in question, such part only of the benefit shall be paid as, together with the weekly sum or the weekly value of the lump sum, will be equal to the benefit:

(*b*) The weekly value of any such lump sum as aforesaid may, subject to the provisions of this

Act relating to the decision of disputes between insured persons and approved societies or insurance committees, be determined by the society or committee by which the sickness and disablement benefits payable to the insured person are administered:

(*c*) Where an agreement is made as to the amount of any such compensation as aforesaid and the amount agreed is less than fifteen shillings a week, or as to the redemption of a weekly payment by a lump sum under the Workmen's Compensation Act, 1906, as amended by any subsequent enactment, the employer shall, within three days thereafter or such longer time as may be prescribed, send to the Minister or to the society or committee concerned notice in writing of the agreement giving the prescribed particulars thereof, and proviso (*d*) to paragraph (9) of the Second Schedule to the Workmen's Compensation Act, 1906 (which relates to the powers of registrars of county courts to refuse to record memoranda of agreements and to refer the matter to the judge), shall, in cases where the workman is an insured person, apply to agreements as to the amount of compensation in like manner as to agreements as to the redemption of weekly payments by lump sums.

(2) Where an insured person has recovered compensation in respect of any injury or disease and in fixing the amount of the weekly payment regard was had to any such payment, allowance or benefit as is mentioned in paragraph (3) of the First Schedule to the Workmen's Compensation Act, 1906, or where an insured person who is entitled to receive or recover, but has not received or recovered, any such compensation is in receipt of any such payment, allowance or benefit, as aforesaid, the weekly value of that payment, allowance or benefit, as determined by the society or committee, or in the case of a dispute as determined in manner provided by this Act, shall, in computing under the foregoing subsection of this section what part of the benefit is to be paid to the insured person, be added to the weekly sum payable by way of compensation or be treated as being

a weekly sum payable by way of compensation, as the case may be, and taken into account accordingly:

Provided that no account shall be taken of any such payment, allowance or benefit so far as the weekly value thereof together with the weekly sum, if any, or the weekly value of the lump sum, if any, paid or payable by way of compensation, exceeds the amount of the weekly payment which the insured person would, if there had been no such payment, allowance or benefit, have been entitled to receive or recover by way of compensation under the said Act.

(3) Where an insured person appears to be entitled to any such compensation or damages as aforesaid and unreasonably refuses or neglects to take proceedings to enforce his claim, it shall be lawful for the society or committee concerned, either—

(*a*) at its own expense, to take such proceedings in the name and on behalf of the insured person, in which case any compensation or damages recovered shall be held by the society or committee as trustee for the insured person; or

(*b*) to withhold payment of any benefit to which but for this section the insured person would be entitled.

In the event of the society or committee concerned taking proceedings as aforesaid and failing in the proceedings, it shall be responsible for the costs of the proceedings as if it were claiming on its own account.

(4) Nothing in this section shall prevent the society or committee from paying benefit to an insured person by way of advance pending the settlement of his claim for compensation or damages, and any advance so made shall, without prejudice to any other method of recovery, be recoverable by deductions from or suspension of any benefits which may subsequently become payable to the insured person.

(5) Where any society or committee in pursuance of the last preceding subsection has made or intends to make advances to an insured person the society or committee may give notice thereof in the prescribed form to the person liable to pay the compensation or damages, and if such notice is given the person so liable shall,

notwithstanding anything in the Workmen's Compensation Act, 1906, on demand and on being furnished with the prescribed proof of the amount of the advances made, repay to the society or committee, up to the amount which he is liable to pay as compensation or damages, less such part, if any, of that amount as he has already duly paid at the time of receiving the notice aforesaid, the amount advanced, and the receipt of the society or committee shall, up to the amount of the repayment, be a full and valid discharge to him in respect of the compensation or damages payable by him to the insured person:

Provided that, if the person so liable to pay compensation or damages gives to the society or committee by which such notice as aforesaid is given notice in the prescribed form that he intends to pay or that he has paid compensation or damages, he shall not be under any obligation to make any repayment in respect of any advance made after the date of the payment of the compensation or damages or after the time at which the notice so given by him is received by the society or committee, whichever is the later.

(6) Where any pension, grant or allowance has been granted to any insured person in pursuance of the Injuries in War (Compensation) Act, 1914, or the Injuries in War Compensation Act, 1914 (Session 2), or the Injuries in War (Compensation) Act, 1915, or any similar Act with respect to which regulations made with the consent of the Treasury provide that this subsection shall apply, or in pursuance of any scheme for compensation in respect of persons injured on any merchant ship or fishing vessel in connection with which any Government obligations within the meaning of the Government War Obligations Act, 1915, are incurred, then as from the prescribed date that pension, grant or allowance shall, for the purposes of this section, be treated as if it were compensation under the Workmen's Compensation Act, 1906.

4 & 5 Geo. 5. c. 30.
5 & 6 Geo. 5. c. 18.
5 & 6 Geo. 5. c. 24.
5 & 6 Geo. 5. c. 96.

Provisions in case of contributors who are inmates of hospitals, &c.

17.—(1) No payment—

(*a*) on account of sickness or disablement benefit in respect of any period when the insured person is an inmate of any workhouse, hospital, asylum, convalescent home or infirmary,

supported by any public authority or out of any public funds or by a charity or voluntary subscriptions; or

(*b*) on account of maternity benefit in respect of the confinement of a woman where the woman is at the time of the confinement such an inmate as aforesaid;

shall be made during any period when the insured person or the woman, as the case may be, is such an inmate as aforesaid.

(2) During the period aforesaid, the sum which would but for the provisions of the preceding subsection have been payable on account of any benefit to any person—

(*a*) If that person has any dependants, may at the discretion of the society or committee administering the benefit, but after consultation whenever possible with that person, be applied wholly or in part for the advantage of, or be paid wholly or in part to, those dependants; and

(*b*) So far as not applied under the preceding provision, or if that person has no dependants, and if in any case he so authorises, may be applied at the discretion of the society or committee administering the benefit towards defraying any expenses for which he may be or become liable otherwise than to the institution while he is such an inmate as aforesaid, and in so far as not so applied may, at the discretion of the society or committee, be paid in whole or in part to the institution of which he is an inmate, unless that institution is a workhouse, poor law infirmary, asylum or other similar institution, maintained out of public funds:

Provided that—

(i) If such an inmate as aforesaid is a married woman or a widow and the sums so payable or applicable as aforesaid include the sums which would have been payable both on account of the second maternity benefit and on account of maternity benefit to

which she is otherwise entitled under this Act, no part of the sum which would otherwise be payable on account of that last-mentioned maternity benefit shall be paid to or applied for the relief or maintenance of her dependants, but the whole or any part thereof may be paid to the institution of which she is an inmate in the same manner as if she had no dependants:

(ii) Any person who is entitled to any benefit under this Act shall not, if he applies for admission to any workhouse infirmary be refused admission thereto solely on the grounds of the right to that benefit.

(3) Any sum which but for the provisions of this section would have been payable to any person on account of sickness, disablement or maternity benefit shall, if and so far as it is not paid or applied during such a period as aforesaid in accordance with the foregoing provisions of this section, be paid in cash to that person after he has left the institution, and either in a lump sum or in instalments at the discretion of the society or committee administering the benefit, or if he dies in the institution shall be deemed to form part of his estate.

(4) Where any sum which, but for the provisions of this section, would have been payable on account of sickness or disablement benefit has been paid or applied in accordance with those provisions, that sum shall be treated as a payment in respect of sickness or disablement benefit, as the case may be.

Power to vary benefits in certain cases.

18.—(1) Any approved society may submit to the Minister a scheme for substituting any of the additional benefits for sickness benefit and disablement benefit or either of those benefits or any part thereof.

(2) Any such scheme may provide as respects the members of the society to whom the scheme applies that sickness benefit or disablement benefit or both such benefits shall be abolished or the rate thereof reduced or, in the case of sickness benefit, the commencement thereof postponed, and may contain such incidental and

consequential provisions as appear necessary for adapting the other provisions of this Act to the members to whom the scheme applies.

(3) A scheme made under this section shall apply either to all members of the society or to any specified class thereof or to any members of the society who may elect to come under the scheme, according as may be provided by the scheme.

(4) A scheme made under this section shall not have any effect unless and until confirmed by the Minister, and the Minister shall not confirm any such scheme unless satisfied that the value of the additional benefits conferred by the scheme is equivalent to the value of the benefits for which they are substituted, and that, in view of the special circumstances of the members or class of members intended to come under the scheme, there is good reason for substituting the additional benefits conferred by the scheme for the benefits for which they are substituted.

(5) Nothing in this section or in any scheme made thereunder shall affect the amount of any reserve value to be credited to a society in respect of a member.

Provision in case of persons resident outside the United Kingdom.

19.—(1) Subject to the provisions of this section, a person shall not be entitled to any benefit during any period when he is resident, whether temporarily or permanently, outside the United Kingdom:

Provided that—

(*a*) in the case of a person temporarily resident in the Irish Free State, the Isle of Man or the Channel Islands, this section shall not operate so as to disentitle him to sickness, disablement or maternity benefit, and any such benefit shall be payable by the society or out of the fund by or out of which it would have been payable if the insured person had continued to reside in the United Kingdom; and

(*b*) where provision has been made by legislative enactment in the Isle of Man or in the Channel Islands for the establishment therein of any scheme of national health insurance, the

Joint Committee, with the consent of the Treasury, may by regulations make arrangements for enabling persons entitled to receive benefits under this Act to receive such benefits while resident in the Isle of Man or the Channel Islands, as the case may be, and for enabling persons entitled to receive benefits under the scheme of national health insurance in the Isle of Man or the Channel Islands, as the case may be, to receive such benefits while resident in the United Kingdom; and

(*c*) if with the consent of the society or committee by which benefit is administered a person is temporarily resident outside the United Kingdom elsewhere than in the Irish Free State, the Isle of Man or the Channel Islands, the society or committee may allow him, while so resident, to continue to receive sickness or disablement benefit.

(2) Provision may be made by regulations for directing that this Act shall, in relation to or in connection with any persons affected by any arrangements made under proviso (*b*) to subsection (1) of this section, apply subject to such modifications and adaptations as may be prescribed by the regulations and may make provision for any necessary financial adjustments.

Mutual arrangements between United Kingdom and Irish Free State.

20.—(1) If the Joint Committee and the Irish Insurance Commissioners enter into arrangements—

(*a*) for securing continuity of insurance of persons who being insured in one country are or become resident and employed in the other country (including the insurance of men serving in the naval, military or air forces, who previously to enrolment or enlistment in any such forces were resident in any part of Ireland other than Northern Ireland, and of men who having so served within six months after their discharge from any such forces become resident in the Irish Free State);

(*b*) for securing exemption from liability to make contributions in the case of persons who being ordinarily resident and not insured in one

country become temporarily employed in the other;

(*c*) with respect to the insurance of persons who, being resident in Northern Ireland, are employed either temporarily or permanently in the Irish Free State, or who, being resident in the Irish Free State, are employed either temporarily or permanently in Northern Ireland;

(*d*) in the case of a ship registered in one country, the owner of which resides or has his principal place of business in the other, for determining whether contributions payable in respect of the persons employed on the ship are to be payable under the enactments relating to national health insurance in force in the country in which the ship is registered or under the enactments relating to national health insurance in force in the country in which the owner resides or has his principal place of business;

(*e*) for rendering insurable persons who would have been insurable under the enactments repealed by this Act had those enactments continued to apply to the whole of the United Kingdom as a single unit, but who, in consequence of the passing of the Irish Free State (Agreement) Act, 1922, and the Irish Free State Constitution Act, 1922 (Session 2), are insurable neither under this Act nor under the enactments relating to national health insurance in force in the Irish Free State;

12 Geo. 5. c. 4. 13 Geo. 5. c. 1.

the Joint Committee shall make such orders as may be necessary to carry out any such arrangements, and may by any such order make such modifications in this Act as may be necessary to give effect to the arrangements, and for enabling such financial adjustments to be made as may be necessary or expedient in consequence of any such arrangements:

Provided that such an order shall not come into force unless and until the Joint Committee are satisfied that reciprocal provisions having the force of law in the Irish Free State have been made for carrying the arrangements into effect in the Irish Free State, and

shall continue in force only so long as the reciprocal provisions continue to have the force of law in the Irish Free State.

(2) An order under this section may provide that where an owner of a ship registered in the United Kingdom does not reside or have his principal place of business in the United Kingdom, the agent in the United Kingdom of the owner shall for the purposes of this Act be deemed to be the employer of the master and members of the crew of the ship.

(3) For the purposes of this section, where there is more than one owner of a ship, the managing owner or manager shall be deemed to be the owner.

(4) In this section the expression "country" means either the United Kingdom or the Irish Free State.

Benefits to be inalienable.

21. Every assignment of or charge on, and every agreement to assign or charge, any benefits shall be void, and, on the bankruptcy of any person entitled to any benefit, the benefit shall not pass to any trustee or other person acting on behalf of his creditors.

Rules of approved societies with respect to administration of benefits.

22.—(1) Subject to the provisions of this Act, an approved society may, with the consent of the Minister, make rules with regard to the manner and time of paying or distributing and the mode of calculating benefits, suspension of benefits, notices and proof of disease or disablement, behaviour during disease or disablement, and the visiting of sick or disabled persons, and for the infliction and enforcement of penalties (whether by way of fines or suspension of benefits or otherwise) in the case of any member being an insured person who is guilty of any breach of any such rule, or of any imposition or attempted imposition in respect of any benefit under this Act:

Provided that—

(*a*) no rule shall provide for the imposition of a fine exceeding ten shillings or, in the case of repeated breaches of rules, twenty shillings:

(*b*) no rule shall provide for the suspension of any benefit for a period exceeding one year:

(*c*) every rule relating to the visiting of insured persons by visitors appointed by the society shall provide that women shall not be visited otherwise than by women:

(*d*) every rule relating to behaviour during disease or disablement shall be in the prescribed form:

(*e*) no rule shall provide, nor have effect so as to subject any insured person to, any penalty, whether by way of suspension of benefits or otherwise, on account of his refusal to submit to a surgical operation, vaccination or inoculation of any kind, unless the refusal is a refusal to submit to a surgical operation of a minor character and is considered by the society, or by the Minister on appeal to him, unreasonable:

(*f*) no rule shall provide for inflicting suspension of maternity benefit in respect of the confinement of the wife of an insured person as a penalty for breach of rules or imposition or attempted imposition on his part except where the wife has herself been guilty of any such breach, imposition or attempted imposition.

(2) Notwithstanding any provision to the contrary in any rule of an approved society or branch of an approved society, an insured unmarried woman who is pregnant shall not on the ground that her pregnancy was due to misconduct be deprived of any sickness or disablement benefit to which she would but for that provision have been entitled.

(3) Except where special arrangements in that behalf are made at the request of an insured person, no deduction may be made by an approved society as on account of the cost of the transmission of the benefit from the amount payable by way of sickness, disablement or maternity benefit.

(4) Where under any Act regulating the constitution of a society which becomes an approved society the rules of the society are required to be registered, any rules approved under this section by the Minister shall

forthwith be registered, but till so registered shall have effect as if they had been duly registered.

Rules of insurance committees with respect to administration of benefits.

23. Every insurance committee shall, subject to the approval of the Minister, make rules in respect of the matters mentioned in subsection (1) of the last preceding section in relation to the administration of benefits by the committee:

Provided that no such rule relating to anything to be done by, to, or through the Post Office shall be made except with the consent of the Postmaster-General.

Administration of medical benefit.

24.—(1) Every insurance committee shall, for the purpose of administering medical benefit, make arrangements with duly qualified medical practitioners in accordance with regulations.

(2) Provision shall be made by regulations for the arrangements under this section being subject to the approval of the Minister and being such as to secure that insured persons shall, subject to the provisions of this Act, receive adequate medical treatment and attendance from the medical practitioners with whom arrangements are so made, and shall require the adoption by every insurance committee of such system as will secure—

(*a*) the preparation and publication of lists of medical practitioners who have agreed to attend and treat insured persons whose medical benefit is administered by the committee;

(*b*) a right on the part of any duly qualified medical practitioner who is desirous of being included in any such list as aforesaid of being so included;

(*c*) a right on the part of any insured person of selecting, at such periods as may be prescribed, from the appropriate list the practitioner by whom he wishes to be attended and treated, and, subject to the consent of the practitioner so selected, of being attended and treated by him;

(*d*) the distribution among the several practitioners whose names are on the lists so far as practicable, under arrangements made by them, of the insured persons who after due notice have failed to make any selection, or who have been refused by the practitioner whom they have selected;

(*e*) the provision, on the same terms as to remuneration as those arranged with respect to insured persons, of medical treatment and attendance, to such members of any friendly or other society which, or a separate section of which, is or becomes an approved society as were members thereof on the sixteenth day of December, nineteen hundred and eleven, and who are not entitled to medical benefit under this Act by reason that being subject to permanent disablement on the fifteenth day of July, nineteen hundred and twelve, they were not qualified to become insured persons:

Provided that—

(i) If the Minister, after such inquiry as may be prescribed, is satisfied that the continued inclusion in the list of any medical practitioner would be prejudicial to the efficiency of the medical service of the insured, the Minister may remove his name from the list:

(ii) If the Minister is satisfied after inquiry that the medical practitioners included in any list are not such as to secure an adequate medical service in any area, or part of an area, he may dispense with the necessity of the adoption of such system as aforesaid as respects that area or part, and authorise the committee to make such other arrangements as he may approve, or may himself make such arrangements as he thinks fit, or may suspend the right to medical benefit in respect of any insured persons in the area or part for such period as he thinks fit, and pay to each such person a sum bearing the same proportion to nine shillings and sixpence as that period bears to a whole year, and where the Minister takes any such action himself, he shall retain and apply for the purpose such part of the sums payable to the insurance committee in respect of medical benefit as may be required:

(iii) If the Minister is satisfied that the insured persons or any considerable proportion of the insured persons within any area or part

of an area are not receiving satisfactory medical treatment under the panel system, he may authorise the insurance committee to make, or may himself make, such other arrangements as will secure to insured persons within that area or that part of the area such better medical service as is practicable having regard to the funds available for the purpose, or arrangements whereunder insured persons within that area or that part of the area may be required to make their own arrangements for receiving medical treatment and attendance (including medicines and appliances) and whereunder the insurance committee or the Minister undertake to pay the cost of that medical treatment and attendance upon such scale as the insurance committee with the approval of the Minister or as the Minister, as the case may be, may determine.

(3) The regulations made for the purposes of this section shall authorise the insurance committee by which medical benefit is administered to require any person whose income exceeds a limit to be fixed by the committee, and to allow any other persons, in lieu of receiving medical benefit under such arrangements as aforesaid, to make their own arrangements for receiving medical treatment and attendance (including medicines and appliances) and in such case the committee shall, subject to the regulations, out of the funds out of which medical benefit is payable, contribute towards the cost of medical treatment and attendance (including medicines and appliances) for those persons sums not exceeding in the aggregate the amounts which the committee would otherwise have expended in providing medical benefit for them.

(4) The regulations made for the purposes of this section shall provide that, in the case of persons who are entitled to receive medical treatment and attendance under any system or through any institution existing on the sixteenth day of December, nineteen hundred and eleven, and approved by the insurance committee and the Minister, medical treatment and attendance so received may be treated as, or as part of, their medical

benefit under this Act, and may provide for the committee contributing towards the expenses thereof the whole or any part of the sums which would be contributed in the case of persons who have made their own arrangements under the last preceding subsection, but the regulations shall secure that no person shall be deprived of his right of selecting, if he desires so to do, in accordance with the foregoing provisions of this section, the duly qualified medical practitioner by whom he wishes to be attended and treated.

(5) Every insurance committee shall make arrangements for the supply of proper and sufficient drugs and medicines and prescribed appliances to insured persons in accordance with regulations, and the regulations made for the purposes of this subsection shall provide for the arrangements made being subject to the approval of the Minister and being such as to enable insured persons to obtain such drugs, medicines and appliances, if ordered by the medical practitioner by whom the insured persons are attended, from any persons with whom arrangements have been made, and shall require the adoption by every insurance committee of such a system as will secure—

(*a*) The preparation and publication of lists of persons, who have agreed to supply drugs, medicines and appliances to insured persons whose medical benefit is administered by the committee, according to such scale of prices as may be fixed by the committee;

(*b*) A right on the part of any person desirous of being included in any such list as aforesaid of being so included, for the purpose of supplying such drugs, medicines and appliances as that person is entitled by law and authorised by the committee to supply, except in cases where the Minister after inquiry is satisfied that the inclusion or continuance of that person in the list would be prejudicial to the efficiency of the service:

Provided that—

(i) If the Minister is satisfied as respects any area that the scale of prices fixed by the committee is reasonable, but that the persons included in any list are not such as to secure an adequate and convenient supply of drugs,

medicines and appliances in that area, he may dispense with the necessity of the adoption of such system as aforesaid as respects that area and authorise the committee to make such other arrangements as he may approve:

(ii) Except as may be provided by regulations, no arrangement shall be made by the insurance committee with a medical practitioner under which he is bound or agrees to supply drugs or medicine to any insured persons:

(iii) Subject to the provisions of the last foregoing proviso, the regulations shall prohibit arrangements for the dispensing of medicines being made with persons other than persons who are entitled to carry on the business of a chemist and druggist under the provisions of the Pharmacy Act, 1868, as amended by any other enactment, and who undertake that all medicines supplied by them to insured persons shall be dispensed either by or under the direct supervision of a registered pharmacist or by a person who for three years immediately before the sixteenth day of December, nineteen hundred and eleven, acted as a dispenser to a duly qualified medical practitioner or a public institution: 31 & 32 Vict. c. 121.

(iv) Nothing in this Act shall interfere with the rights and privileges conferred by the Apothecaries Act, 1815, upon any person qualified under that Act to act as an assistant to any apothecary in compounding and dispensing medicines. 55 Geo. 3. c. 194.

(6) Where the Minister in pursuance of his powers under this section removes the name of any medical practitioner from any list of medical practitioners prepared under this section, or the name of any person undertaking the supply of drugs, medicines or appliances from any list so prepared of persons undertaking such supply, he may, if he thinks fit so to do, remove the name of that practitioner or person from any of the other lists so prepared in which it is at the time included, and, until such time as the Minister directs to the contrary, that practitioner or person shall be disqualified

for inclusion in any list prepared under this section, whether in England, Scotland or Wales, of medical practitioners or of persons undertaking such supply as aforesaid.

(7) Provision for any of the following matters may be included in regulations made for the purposes of this section—

(*a*) The issue of certificates for the purposes of this Act by medical practitioners under agreement with insurance committees;

(*b*) The application to inquiries held under this section, subject to such modifications as may be prescribed (including a modification providing that the costs of any inquiry and of the finding thereon shall be in the discretion of the Minister instead of in the discretion of the person holding the inquiry), of any of the provisions of the Arbitration Act, 1889, relating to the costs of an arbitration, the attendance of witnesses and the production of documents;

52 & 53 Vict. c. 49.

(*c*) The procedure on any appeal to the Minister against a decision of an insurance committee given under the regulations, and the application to any such appeal, subject to such modifications as may be prescribed, of any of the provisions of the Arbitration Act, 1889.

Reinsurance for the purposes of maternity benefit.

25. For the purposes of the administration of maternity benefit, the Minister may, if he thinks fit, by special order provide for the reinsurance with him of the liabilities of all approved societies in respect of maternity benefit, and the order may provide for the method of calculating the premiums to be charged against the several societies in respect of any such reinsurance and may contain such other incidental, consequential and supplemental provisions as may appear necessary for the purpose.

Power to subscribe to hospitals, &c.

26. An approved society or insurance committee may make such subscriptions or donations as it thinks fit to hospitals, dispensaries and other charitable institutions, or for the support of district nurses, and may appoint nurses for the purpose of visiting and nursing insured persons, and any sums expended under this section shall be treated as expenditure on such benefits as may be prescribed.

Repayment of benefits improperly paid.

27.—(1) If it is found at any time that a person has been in receipt of any benefit or any payment under this Act without being lawfully entitled thereto, he, or in the case of his death his personal representatives, shall be liable to repay to the Minister the amount of that benefit or payment, and any such amount may be recovered as a debt due to the Crown, and when so recovered shall be carried to the credit of the society of which that person was a member, or, if he was not a member of an approved society, to the credit of the Deposit Contributors Fund.

(2) Subject to the consent of the Treasury, regulations may be made for authorising any sums paid by an approved society or branch of an approved society as on account of benefits to or on behalf of persons not lawfully entitled thereto, so far as not recovered, to be treated, to such extent and subject to such conditions as may be prescribed, as expenditure on benefits, and providing for charging to the administration account of societies any sums so improperly paid as aforesaid, and neither authorised to be treated as expenditure on benefits as aforesaid nor recovered.

Disposal of sums arising from benefits forming part of estate of deceased persons

28. Regulations may be made:—

(*a*) Providing for the nomination by an insured person of the persons to whom any sum payable to him by way of benefit and unpaid at the date of his death, or any other sum payable under this Act and forming part of his estate, is to be paid at his death, for the revocation of any such nomination, for the payment of the specified amount to any nominee so nominated, and providing that any such nomination shall take effect as if it were a will of the deceased duly executed, and that notwithstanding the want of due execution, minority or marriage;

(*b*) Providing that, subject to the regulations, probate or other proof of the title of the personal representatives of the deceased person may be dispensed with in the case of any such sum as aforesaid, and that any such sum may be paid or distributed to or among the persons appearing in manner

provided by the regulations to be beneficially entitled to the personal estate of the deceased person, whether under any such nomination as aforesaid or by law, or as next of kin or as creditors, or otherwise, or to or among any one or more of such persons exclusive of the others, or in the case of any illegitimacy of the deceased person or his children to or among such person or persons as may be directed by the regulations, and that any society or committee making a payment in accordance with the regulations shall be discharged from all liability in respect of the sum so paid.

PART II.

APPROVED SOCIETIES AND INSURANCE COMMITTEES.

Constitution, Government, &c., of Approved Societies.

Constitution of approved societies.

29.—(1) Any society, that is to say, any body of persons corporate or unincorporate (not being a branch of another such body), registered or established under any Act of Parliament or by Royal Charter or, if not so registered or established, having a constitution of such a character as may be prescribed, may, if it complies with the requirements of this Act relating to approved societies, be approved by the Minister, and, if so approved, shall be an approved society for the purposes of this Act:

Provided that where any society establishes for the purposes of this Act a separate section consisting of insured persons, whether with or without honorary members not being insured persons, and so constituted as to comply with the requirements of this Act relating to approved societies, that separate section may be approved by the Minister, and, if so approved, shall be an approved society, and the provisions of this Act relating to the conditions of approval of societies and to approved societies shall apply only to the separate section of the society.

(2) No society shall be approved by the Minister unless it satisfies the following conditions:—

(*a*) It must not be a society carried on for profit:

(*b*) Its constitution must provide to the satisfaction of the Minister for its affairs being subject to the absolute control of its members being insured persons or, if the rules of the society so provide, of its members whether insured persons or not, and for the election and removal of the committee of management or other governing body of the society, in case of a society whose affairs are managed by delegates elected by members, by those delegates, and in other cases in such manner as will secure absolute control by its members:

(*c*) If the society has honorary members, its constitution must provide for excluding the honorary members from the right of voting in their capacity of members of the society on all questions and matters arising under this Act.

(3) The Minister may grant approval either unconditionally or subject to the condition that the society shall within such time as the Minister may allow take such steps as may be necessary to make the society comply with the requirements of this Act relating to approved societies.

Provisions as to societies having members in more than one national area.

30.—(1) A society shall not be required to be approved in respect of any national area other than that in which its registered or head office is situate, by reason of the fact that among its members are persons for the time being resident in that other area, but (without prejudice to the right of a person who within one year after ceasing to be a member of a society becomes an employed contributor to be re-admitted as a member of that society) a society shall not admit as a member any person resident at the time of admission in any national area in respect of which the society is not an approved society.

(2) A society which has been approved for more than one national area may relinquish approval for any area other than that in which its registered office, or its head office, as the case may be, is situate, if it satisfies the Joint Committee that it fulfils one or other of the following conditions, that is to say—

(*a*) that no person being a member of the society is resident in the national area in respect of which approval is proposed to be relinquished; or

(*b*) that any members who are so resident were at the time when they were admitted to membership of the society resident in a national area in which the society will remain an approved society.

For the purposes of this subsection, admission to membership of a society means admission to membership whether for the purposes of this Act or for any other purposes of the society, and in the case of a society which is a separate section of another society includes admission to membership of that other society.

(3) Where any members of a society reside in a national area in respect of which the society is not an approved society, the provisions of this Act relating to payments into and out of the National Health Insurance Funds for Scotland, Northern Ireland and Wales, shall apply as if those members resided in the national area in which the registered or head office of the society is situate, or in the case of a society with branches, in which the registered office of the branch of which they are members is situate:

Provided that the amount to be contributed out of moneys provided by Parliament towards the benefits (including the cost of administration of benefits) of any such members as aforesaid shall, whatever the situation of the registered or head office of the society or the office of the branch, be paid, in the case of such of those members as are actually resident in Northern Ireland out of moneys provided by the Parliament of Northern Ireland, and in the case of such of those persons as are not actually resident in Northern Ireland out of moneys provided by the Parliament of the United Kingdom.

This subsection shall apply as respects the members of a branch of a society resident in a national area other than that in which the office of the branch is situate, notwithstanding that the society is approved for that area, unless the Joint Committee on the application of the society otherwise determine, but no branch to which the said provisions apply shall admit as a member of the branch any person resident at the time of admission in any national area other than that in which the office of the branch is situate.

(4) Where at the commencement of this Act those members of any society, being a society which has among its members persons resident in any two or more national areas, who are resident in a national area other than that in which the registered or head office of the society is situate, are for the purposes of the provisions of this Act relating to valuations, surpluses, deficiencies and transfers, treated as if they formed a separate society, such members of that society as are from time to time resident in that other national area shall continue to be so treated.

Special provisions as to approval of employers' provident funds, &c.

31.—(1) Where a society consists of persons entitled to rights in a superannuation or other provident fund established for the benefit of persons employed by one or more employers, the society may, subject as hereinafter provided, be approved under this Act, notwithstanding that the employer is entitled to representation on the committee or other body administering the fund, if the employer's representation does not exceed one quarter of the total number of the body and if the employer, in addition to the employer's contributions payable by him under this Act, is responsible for the solvency of the fund or for the benefits payable thereout, or is liable to pay a substantial part of, to make substantial contributions to, or substantially to supplement, the benefits payable out of the fund:

Provided that no such society as aforesaid shall be approved—

(*a*) unless its constitution provides that so far as concerns benefits the society may not refuse to allow a member to transfer to another approved society or to allow a member who is discharged from or leaves the employment of the employer and is unable to obtain admission to another approved society on account of the state of his health to continue a member, and that the election of the members of the committee of management (other than the employer's representatives) shall be by ballot; or

(*b*) if the employer makes membership of the society a condition of employment.

(2) Where for the purpose of enabling any such society as aforesaid to become an approved society it is necessary to make any alteration in the existing rules or constitution of the society which it is not competent for the society under its existing constitution to make, a scheme for the purpose may be submitted for the approval of the Minister, and where such a scheme has been approved by the Minister, the Act or deed constituting the society shall have effect subject to the provisions of the scheme, but the Minister shall not approve any such scheme unless he is satisfied that the members of the society have been given an opportunity of voting by ballot thereon and that the scheme makes proper provision for safeguarding existing rights and interests.

Power to register under Friendly Societies Act, 1896. 59 & 60 Vict c. 25.

32. Any society for the purpose of carrying on business under this Act, and whether for that purpose alone or for that purpose in conjunction with any purpose mentioned in subsection (1) of section eight of the Friendly Societies Act, 1896, may be registered as a friendly society under that Act, notwithstanding that the contributions under this Act are not voluntary.

Application of Acts of Parliament to approved societies and sections.

33.—(1) Except in so far as may be inconsistent with this Act, any business transacted under this Act by an approved society shall be treated as part of the ordinary business transacted by societies of the class to which that society belongs, and any enactment applying to the society in relation to the transaction of such ordinary business shall apply accordingly in relation to the business transacted by the society under this Act.

(2) This section shall apply to an approved society which is a separate section of another body, subject to the necessary adaptation.

Rules for government of approved societies.

34.—(1) Every approved society shall, as respects the administration of the affairs of the society under this Act, make proper provision by rules to the satisfaction of the Minister for the government of the society, including, in the case of a society with branches, provision for the following matters—

(*a*) the government of the society and its branches;

(*b*) the determination of disputes arising between the society and any branch, or between one branch and another;

(*c*) the administration of benefits by the branches as respects insured persons who are members of those branches;

(*d*) the keeping of proper books of account by the branches in any case where separate accounts are usually kept by those branches;

(*e*) depriving of or suspending from the right of administering benefits any branch which is guilty of maladministration of benefits, or is convicted of any offence under any Act, and for providing for the administration of benefits in such a case by the society or otherwise.

(2) Every approved society and every branch thereof shall comply with any regulations as to the place in which meetings are to be held, and regulations may provide for the use for such meetings, with or without payment, of any offices or other buildings under the control of a Government department (including offices or buildings occupied by or in connection with an employment exchange) or belonging to or under the management of a local authority, but subject to the consent of the Government department or the local authority concerned.

(3) Where under any Act regulating the constitution of an approved society the rules of the society are required to be regsitered, any rules approved under this section by the Minister shall forthwith be registered, but until so registered shall have effect as if they had been duly registered.

Security to be given by approved societies.

35.—(1) Every approved society and every society desirous of becoming an approved society shall give such security as the Minister may consider sufficient to provide against any malversation or misappropriation by officers of the society of any funds coming into the hands of the society under this Act, and in determining the amount of the security to be required the Minister shall have regard to the amount of the funds so coming into the hands of the society:

Provided that no security shall be required from any society which proves to the Minister that the only

funds coming into the hands of the society under this Act are such funds as are required for reimbursing to the society sums previously expended by the society under this Act.

(2) In the case of an approved society with branches having insured persons among their members, security shall be given by the society in respect of each branch.

(3) The Minister may from time to time vary the amount of security to be required from an approved society as may be thought proper, and where security is given by way of deposit of securities, the society which made the deposit may, with the consent of the Minister, substitute other securities for the securities for the time being deposited.

(4) Any dividends or interest arising from securities deposited by an approved society under this section shall be paid or credited to the society.

Provisions against maladministration.

36.—(1) For the purpose of providing against maladministration by approved societies and their officers, regulations may be made for applying to approved societies and to branches of approved societies, and to officers and members thereof, the provisions of sections thirty-five and fifty-five of the Friendly Societies Act, 1896, and any of the other provisions of that Act, relating to offences, penalties and legal proceedings, and any such regulations may provide that proceedings for any offence under subsection (3) of section eighty-seven of the said Act, as applied by the regulations, may be brought within two years from the date of the commission of the alleged offence.

(2) Any of the said provisions may be applied with or without any adaptation or modification, so, however, that the penalty for offences, other than fraud, false declarations, misappropriation or falsification, shall not be made to exceed a fine of five pounds.

Dissolution of societies.

37.—(1) An approved society shall not be dissolved without the sanction of the Minister.

(2) Provision may be made by regulations for the manner and conditions in and upon which the dissolution

of approved societies may be carried into effect, and in connection with that purpose for—

(*a*) the valuation of the assets and liabilities of dissolved societies under this Act; and

(*b*) the reduction (either permanently or temporarily) in the event of a deficiency being disclosed, of the rates of benefits payable to members and the periods during which those benefits or any of them are payable; and

(*c*) the establishment of a special fund to which contributions of members are to be paid, and out of which benefits are to be paid; and

(*d*) the application, subject to the prescribed modifications, adaptations and exceptions, to the special fund and the members thereof, of the provisions of this Act relating to approved societies and to membership of and transfer to and from approved societies.

(3) This section shall have effect notwithstanding anything contained in any Act regulating the constitution of the society.

Withdrawal of approval.

38.—(1) Where an approved society fails to comply with any of the provisions or requirements of this Act relating to approved societies, or where such a society or the body of which the society forms a separate section is convicted of an offence under any Act regulating its constitution or under any other Act, the Minister may withdraw approval, and thereupon the society shall cease to be an approved society, and the Minister shall make such provision as he may consider necessary with respect to members of the society who are insured persons.

(2) Provision may be made by regulations for authorising, in cases where it appears expedient in the interest of the members of the society to do so, the withdrawal of approval from a society on account of maladministration of its affairs under this Act.

(3) In case of the maladministration of the affairs of any branch of an approved society, whether a branch which is separately registered or a branch which has

been recognised by the Minister under this Act, the Minister may declare that the branch shall cease to be a branch for the purposes of this Act.

Amalgamation, transfer of engagements, &c. of societies.

39. Provision may be made by regulations as to the manner in and the conditions on which the following matters may be carried into effect:—

(*a*) The amalgamation for the purposes of this Act of any two or more approved societies, or of an approved society with a society which is not an approved society, or of any two or more branches of an approved society:

(*b*) The transfer by an approved society of its engagements under this Act, or of such of those engagements as relate to members resident in any particular national area or as relate to men only or women only, to any other approved society or to any two or more other approved societies which may undertake to fulfil those engagements:

(*c*) The transfer of the engagements of a branch of an approved society or of such of those engagements as relate to men only or to women only, to any other branch or to any two or more other branches, of that society or of any other society, or to that society or to any other society or to any two or more other societies:

(*d*) The financial adjustments to be made on any such amalgamation or transfer.

Secessions, expulsions, and establishment and dissolution of branches.

40.—(1) Provision may be made by regulations—

(*a*) With respect to the manner and conditions in and upon which the secession, expulsion or dissolution of a branch of an approved society in respect of its business under this Act may be carried into effect, and for the financial adjustments to be made on any such secession, expulsion or dissolution:

(*b*) For enabling or requiring an approved society with branches to establish, subject to prescribed conditions and in the prescribed manner, a central fund for the purpose of administering the benefits of any of the

members of any branch which may secede or be dissolved or expelled or cease to be a branch for the purposes of this Act, and with respect to payments into and out of any fund so established and with respect to the transfer of any persons for whose benefits the fund is liable to any other branch of the society:

(*c*) For enabling an approved society, not being an approved society with branches, to establish branches, and to apportion among the branches, subject to the prescribed conditions, all or any of the funds of the society.

(2) This section shall have effect notwithstanding anything contained in any Act regulating the constitution of the society.

Membership of Approved Societies.

Admission of insured persons to membership in approved societies.

41.—(1) Subject to the provisions of this Act, any insured person and any person entitled to become an insured person may apply to an approved society for membership.

(2) An approved society shall be entitled, in accordance with its rules, to admit or reject any person so applying for membership, or to expel any of its members being insured persons:

Provided that no such application shall be refused solely on the ground of the age of the applicant.

(3) If any approved society, to whom or to whose duly appointed agent, being a person receiving applications for admission to the society, any person not being a member of any approved society delivers an application in proper form for admission to the society, does not within a period of three months after the date on which the application is so delivered deliver or send by post to that person a notification that his application has been rejected, that person shall be deemed to have been admitted a member of the society as on the date of delivery of the application.

Prohibition against double insurance.

42. A person shall not be, or attempt to become, a member for the purposes of this Act of more than one approved society at the same time, or, being a deposit contributor, to become at the same time a member for

the purposes of this Act of an approved society, but nothing in this Act shall prevent any person who is a member of an approved society under this Act becoming a member of the same or any other society independently of this Act, or prevent a deposit contributor becoming a member of any society independently of this Act, or affect the right of an approved society to reject or expel from membership any person not being an insured person, or the rights or liabilities of an approved society or of any member thereof arising otherwise than under this Act; and, subject to the provisions of this Act, all rules made by a society which becomes an approved society or any branch thereof shall remain and be of the same force and effect as though this Act had not been passed.

Termination of membership of approved societies.

43.—(1) Subject to the provisions of this Act, a member of an approved society shall be entitled, on giving the prescribed notice and on complying with the prescribed conditions, to terminate his membership of the society and become a member of another society or a deposit contributor:

Provided that—

(*a*) A member of an approved society shall not be entitled to terminate his membership except as at the prescribed times, and the prescribed times shall be so fixed as to give opportunities for terminating membership at intervals not greater than twenty-seven weeks:

(*b*) If an approved society, within thirty days after receiving notice from a member that he desires to terminate his membership, gives notice to the Minister and to the member that it objects to his so doing and proves to the satisfaction of the Minister that the society would be prejudiced in its administration by the retirement of the member, the Minister may, if in the circumstances of the case and having regard to the interests of the insured person he thinks it proper so to do, declare the notice cancelled, and in such case the member shall remain a member of the society as if no notice had been given:

(*c*) Subject to the consent of the Minister an approved society may, during any period not exceeding one year from the date on which the result of a valuation is declared, suspend, except in any specified circumstances, the right of insured persons who are members of the society to terminate their membership:

(*d*) If it appears to the Minister at any time as regards an approved society that, having regard to the interests of the society as a whole, it is not desirable that individual members of the society should be allowed to terminate their membership and that the circumstances are such that the engagements of the society ought to be transferred to another society, he may declare the right of termination of membership to be suspended, and while any such declaration is in force no person shall, except with the consent of the Minister, terminate his membership of that society:

(*e*) A member of an approved society on terminating his membership shall, unless he is a person who entered into insurance within the two years immediately preceding the date on which he gave notice of desire to terminate membership and has not previously been transferred from some other approved society, pay to the society the prescribed fee.

(2) Where an insured person duly ceases to be a member of one approved society and becomes a member of another approved society, there shall, subject to the provisions of this Act, be transferred to that society in respect of that person a sum (in this Act called "transfer value") representing the liability under this Act of the first-mentioned society in respect of that person (exclusive of any liability to provide additional benefits), and calculated in accordance with tables to be prepared by the Minister.

(3) The foregoing provisions of this section shall apply to the termination of membership of a branch of an approved society in like manner as they apply to the

termination of membership of an approved society, subject to the following modifications:—

(i) In the case of a person desiring to terminate his membership of a branch for the purpose of transferring to another branch of the same society, proviso (*b*) to subsection (1) of this section shall have effect with the substitution of the central authority of the society for the Minister and proviso (*e*) to the said subsection shall not apply unless the rules of the society so provide; and

(ii) The power under proviso (*c*) to the said subsection shall be exercised by the central authority of the society subject to the consent of the Minister.

(4) If any officer, servant or agent of an approved society directly or indirectly pays or provides, or offers to pay or provide, any fee or part of any fee payable under this section, he shall be liable on summary conviction to a fine not exceeding five pounds.

(5) Any person being a member of an approved society to whom a certificate of exemption is granted under this Act, or who ceases to be an insured person, shall upon the grant of the certificate or on so ceasing, as the case may be, cease to be a member of the society:

Provided that if any person within one year after so ceasing to be a member of a society becomes an employed contributor, he shall on making an application for the purpose within the prescribed time be entitled to be re-admitted as a member of the society, and the society shall re-admit him accordingly.

(6) The suspension of a member of an approved society from benefits shall not be deemed to deprive him of his membership of the society.

Transfers to foreign and colonial societies.

44.—(1) If an insured person ceases to be permanently resident in the United Kingdom and becomes a member of any society or institution established in a British possession or foreign country, of a kind similar to an approved society, which is approved by the Minister, or of any branch established outside the United Kingdom of an approved society, the transfer value of that person, or, in the case of a deposit contributor, the amount standing to his credit in the Deposit Contributors

Fund, shall be paid to that society or institution or branch, but no such payment shall be made unless the Minister is satisfied that the society, institution or branch in question gives corresponding rights to any of its members becoming resident in the United Kingdom.

(2) Where an arrangement has been made with the Government of any British possession or with the Government of any foreign State, whereby insured persons may be transferred to a society or institution established in the British possession or foreign State similar to an approved society or the Deposit Contributors Fund, and members of any such society or institution may be transferred to approved societies or to the Deposit Contributors Fund, the Minister may make such arrangements as may be necessary for any such transfer as aforesaid, and for the determination of the amount to be transferred in any such case, and of the rights to which any person transferred is to be entitled.

(3) Nothing in this section shall affect the right of a society under this Act to refuse applications for membership, and this section shall have effect subject to the foregoing sections of this Act which make provision for the case of persons resident outside the United Kingdom and for the making of mutual arrangements between the United Kingdom and the Irish Free State.

Transfer values of emigrants who remain members of approved societies.

45.—(1) If a person who has for not less than five years been a member of an approved society for the purposes of this Act ceases permanently to reside in the United Kingdom, and does not join such a society, branch or institution as is mentioned in the last foregoing section, and the approved society is willing to permit him to remain a member of the society and to become entitled to benefits independently of this Act, the society may, subject to regulations, transfer from the account of the society under this Act to the credit of the society independently of this Act such sum as would have been credited to the Deposit Contributors Fund had the member ceased to be a member of the society and become a deposit contributor, and so much of any reserve value which may have been credited to the

society in respect of him as would in such a case have been cancelled shall be cancelled.

(2) This section shall have effect subject to the foregoing sections of this Act which make provision for the case of persons resident outside the United Kingdom and for the making of mutual arrangements between the United Kingdom and the Irish Free State.

Transfer values of persons lapsing from insurance.

46. If an insured person, being a member of an approved society, ceases to be an insured person, his transfer value shall be carried to the Reserve Suspense Fund hereinafter in this Act mentioned.

Provision as to members of approved societies who are minors.

47. Any member of an approved society who is a minor may execute all instruments and give all acquittances necessary to be executed or given under the rules of the society, but shall not be a member of the committee or a trustee, manager or treasurer of the society or any branch thereof.

Insurance Committees.

Constitution of insurance committees.

48.—(1) There shall be an insurance committee for every county and county borough.

(2) Every insurance committee—

(*a*) shall be a body corporate by the name of "The Insurance Committee for the county " (or borough) of ";

(*b*) shall have perpetual succession and a common seal;

(*c*) shall, subject in every case to the consent of the Minister, have power to take, purchase and hold land for the purposes of this Act without any licence in mortmain.

(3) Every such committee shall consist of such number of members as the Minister, having regard to the circumstances of each case, determines, but in no case less than twenty or more than forty, of whom—

(*a*) three-fifths shall be appointed in such manner as may be prescribed so as to secure representation of the insured persons resident in the county or county borough who are members of approved societies and of the insured persons so resident who are deposit contributors in proportion, as nearly as may be, to their respective numbers;

(*b*) one-fifth shall be appointed by the council of the county or county borough;

(*c*) two members shall be appointed by the local medical committee for the county or county borough;

(*d*) one member shall be a duly qualified medical practitioner appointed by the council of the county or county borough;

(*e*) the remaining members shall be appointed by the Minister:

Provided that—

(i) The regulations with respect to the appointment of members to represent insured persons shall provide for conferring on the approved societies which have members resident in the county or county borough the power of appointing the representatives of those members, and, where an association of the deposit contributors resident in the county or county borough has been formed under the regulations, for conferring on that association the power of appointing the representatives of the deposit contributors; and

(ii) Of the members appointed by the council of the county or county borough two at least shall be women, and of the members appointed by the Minister one at least shall be a duly qualified medical practitioner and two at least shall be women.

(4) Where in pursuance of the provisions of this Act any part of the cost of medical benefit is defrayed by the council of the county or county borough the Minister may increase the representation of the council and make a corresponding diminution in the representation of the insured persons.

(5) Provision may be made by regulations—

(*a*) with respect to the appointment, quorum, term of office and rotation of members and proceedings generally of the committee, including the appointment of sub-committees consisting wholly or partly of members of the committee; and

(*b*) with respect to the employment of officers and the provision of offices by the committee, including the use by the committee, with or without payment, of any offices of a local authority, but subject to the consent of such authority; and

(*c*) for the constitution of district insurance committees, and for apportioning among the several district insurance committees any of the powers and duties of the committee; and

(*d*) for regulating the relations of district insurance committees to the insurance committee and to one another; and

(*e*) for modifying the provisions of subsection (3) of this section in their application to an insurance committee consisting of less than forty members:

Provided that the Minister in making regulations under this paragraph shall have regard to the desirability of maintaining, so far as practicable, the proportion between the several classes of persons to be appointed as members of insurance committees as prescribed by the said subsection.

(6) At least one woman shall be on every sub-committee constituted by an insurance committee for dealing with the administration of any benefit.

(7) Any insurance committee may, and, if so required by the Minister, shall combine with any one or more other insurance committees for all or any of the purposes of this Act, and where insurance committees so combine, the provisions of this Act shall apply with such necessary adaptations as may be prescribed.

Default by insurance committees.

49.—(1) Without prejudice to his power to take any other proceedings, the Minister may, if after a public inquiry he is satisfied that by reason of the default of an insurance committee in the performance of their duties the administration of medical benefit or of the benefits of deposit contributors in the area of the committee is being prejudiced, by order declare that the existing members of the committee have vacated their office.

(2) Every such order shall provide for the appointment forthwith, subject to the provisions of the last preceding section of this Act, of a new committee, and may contain such provisions as seem to the Minister expedient for authorising any person to act in the place of the committee pending the appointment of the new committee.

Powers and duties of insurance committees.

50.—(1) An insurance committee shall, in addition to the other powers and duties conferred and imposed on them by this Act, have the following powers and duties:—

(*a*) They shall make such reports as to the health of insured persons within the county or county borough as the Minister may prescribe, and shall furnish to him such statistical and other returns as he may require, and may make to him such other reports on the health of those persons and the conditions affecting the same, and may make such suggestions with regard thereto as they may think fit, and the reports and returns so made shall include such reports and returns as will enable an analysis and classification to be made of the persons who are deposit contributors:

(*b*) They shall make such provision for the giving of lectures and the publication of information on questions relating to health as they think necessary or desirable, and may, if they think fit, for that purpose make arrangements with local education authorities, universities and other institutions.

(2) For the purpose of assisting insurance committees in the exercise and performance of their powers and duties under this Act, and with a view to promoting co-operation between such committees and the councils of counties, boroughs, and urban and rural districts, any medical officer of health may, at the request of an insurance committee and with the consent of the council by whom he is appointed, attend meetings of the committee and give such advice and assistance as is in his power.

(3) The Minister shall forward copies of any reports, returns, and suggestions made under this section to the

councils of the counties, boroughs, and urban and rural districts, which appear to him to be affected thereby or interested therein.

(4) For the purposes of this section, the expression "council of a borough" includes the mayor, aldermen and commons of the City of London in common council assembled, and the council of a metropolitan borough.

Local medical committees.

51. Where a local medical committee has been formed for any county or county borough or for any area for which a district committee has been constituted and the Minister is satisfied that the committee is representative of the duly qualified medical practitioners resident in the county, county borough or area, he shall recognise the committee, and where a local medical committee has been so recognised, that committee shall, subject to regulations, be consulted by the insurance committee or district committee, as the case may be, on all general questions affecting the administration of medical benefit, including the arrangements made with medical practitioners for giving attendance and treatment to insured persons, and shall perform such other duties and shall exercise such powers as may be determined by the Minister.

Consultation with practitioners who have entered into agreements with insurance committees.

52. Where under this Act or any regulations it is the duty of an insurance committee to ascertain, in respect of any matter affecting the administration of medical benefit in the area, the opinions and wishes of the medical practitioners who have entered into agreements with the committee for attendance on and the treatment of insured persons whose medical benefit is administered by the committee, they shall do so through a committee appointed by those practitioners in accordance with regulations (in this Act referred to as "the panel committee"), and the panel committee shall perform such duties and shall exercise such powers as may be determined by the Minister, and in any area in which no local medical committee has been recognised under the provisions of the last preceding section of this Act, a panel committee may be recognised as the local medical committee for that area.

Pharmaceutical committees.

53. In every county or county borough there shall, in accordance with regulations, be elected by the persons who have agreed to supply drugs, medicines and

appliances to insured persons whose medical benefit is administered by the committee, a local committee (in this Act referred to as "the pharmaceutical committee"), and the pharmaceutical committee shall, subject to regulations, be consulted by the insurance committee on all general questions affecting the supply of drugs, medicines and appliances to insured persons, and shall perform such duties and exercise such powers as may be determined by the Minister.

Part III.

Special Classes of Insured Persons.

Deposit Contributors.

Deposit contributors.

54.—(1) Until the thirty-first day of December, nineteen hundred and twenty-five, and subject to any regulations made under this section, the following provisions shall apply in the case of an insured person (in this Act referred to as "a deposit contributor") who has not joined an approved society within the prescribed time, or who, having been a member of an approved society, has been expelled or has resigned therefrom and has not, within the prescribed time, joined another approved society:—

(*a*) Contributions by or in respect of a deposit contributor shall be credited to a special fund to be called the Deposit Contributors Fund:

(*b*) The sums required for the payment of any sickness, disablement or maternity benefit payable to a deposit contributor, except so far as they are payable out of moneys provided by Parliament, shall be paid out of the money standing to his credit in the Deposit Contributors Fund, and his right to benefits shall be suspended on the sums standing to his credit in that fund being exhausted:

(*c*) Such sum as may be prescribed shall in each year be payable in respect of each deposit contributor for the purposes of the cost of medical benefit:

(*d*) The sums payable in respect of a deposit contributor for the purposes of medical benefit and towards the expenses of administration, shall, except so far as they are payable out of moneys

provided by Parliament, be deducted, at the time and in the manner prescribed, from the amounts standing to his credit in the Deposit Contributors Fund:

(*e*) Upon the death of a deposit contributor, one-half of the amount standing to his credit in the Deposit Contributors Fund shall be dealt with as if it were a sum payable to an insured person by way of benefit under this Act and unpaid at the date of his death, and the balance thereof shall be transferred to the Reserve Suspense Fund:

(*f*) Where a deposit contributor proves to the satisfaction of the insurance committee that he is permanently resident outside the United Kingdom one-half of the amount standing to his credit in the Deposit Contributors Fund may be paid to him:

Provided that the foregoing provision shall have effect subject to the foregoing sections of this Act which make provision for the case of persons resident outside the United Kingdom and for the making of mutual arrangements between the United Kingdom and the Irish Free State.

(2) Provision may be made by regulations for—

(*a*) Applying any of the provisions of this Act relating to members of approved societies, with the necessary modifications, adaptations and exceptions to deposit contributors:

(*b*) Enabling the accounts of deposit contributors to be kept in terms of contributions, and the amounts payable to or in respect of deposit contributors on account of benefit to be fixed as nearly as may be in terms of contributions, and for prescribing the conditions subject to which the benefits of deposit contributors shall be paid or provided:

(*c*) Prescribing the amount which may be charged in respect of the expenses (by whomsoever incurred) of administering the benefits of deposit contributors and for providing for the payment of and otherwise regulating those expenses.

Transfer from approved society to deposit insurance and vice versa.

55.—(1) If an insured person, being a member of an approved society, ceases to be a member of that society and becomes a deposit contributor, there shall be carried to his credit in the Deposit Contributors Fund such sum as represents, in the opinion of the Minister, the value of the contributions paid by or in respect of him, regard being had in making the calculation to his age and the period during which he has been insured, and a sum equal to the amount, if any, by which his transfer value exceeds the sum so carried to the Deposit Contributors Fund shall be carried to the Reserve Suspense Fund, and shall so far as it represents outstanding reserve value be cancelled.

(2) If an insured person, being a deposit contributor, becomes a member of an approved society, the amount standing to his credit in the Deposit Contributors Fund shall be carried to the Reserve Suspense Fund, and there shall be charged to that fund and credited to the society a sum representing the amount which would have been the amount of his transfer value if he had been a member of an approved society instead of a deposit contributor.

(3) Any insured person who, being a deposit contributor, becomes a member of an approved society shall, for the purpose of any regulations relating to the benefits of persons in arrears, be treated subject to the prescribed modifications as if he had been a member of an approved society since the date of his entry into insurance.

Married Women.

Married women.

56.—(1) Where a woman being an insured person and a member of an approved society marries, she shall, if she had before the date of her marriage ceased, or if at any time during coverture and within twelve months after the date of her marriage she ceases, to be a person whose normal occupation is employment, cease as from the date of her marriage or as from the date on which she ceases to be such a person (which last date is hereinafter referred to as "the date of unemployment"), whichever is the later, to be entitled to the benefits to which she would otherwise have been entitled under

the provisions of this Act, and in lieu thereof she shall—

(*a*) subject to the provisions of this Act, be entitled to the following benefits, that is to say—

(i) sickness or disablement benefit at the rate of seven shillings and sixpence a week for an aggregate of not more than six weeks in the period of twelve months commencing next after the date of unemployment, or if the date of unemployment was anterior to the date of her marriage, within so much of that period as is subsequent to her marriage;

(ii) maternity benefit in respect of her first confinement after the date of unemployment and within two years from the date of her marriage;

(iii) medical benefit until the thirtieth day of June or the thirty-first day of December, whichever first occurs, next after the expiration of a period of twelve months from the date of unemployment;

(iv) any additional benefits provided by her approved society in accordance with a scheme under section seventy-five of this Act; and

(*b*) until the expiration of two years from the date of her marriage, be treated as if she were an insured person.

(2) For the purposes of this section a woman shall be deemed to have ceased to be a person whose normal occupation is employment as soon as she has been unemployed for eight consecutive weeks commencing next after the contribution week in which she ceased to be employed:

Provided that a woman, who is or was unemployed by reason of incapacity for work arising from some specific disease or bodily or mental disablement, shall not be deemed to have ceased to be a person whose normal occupation is employment until the expiration of eight weeks commencing next after the end of the last contribution week in which she was incapable of work.

(3) If a woman, after becoming entitled to benefits by virtue of the preceding provisions of this section, becomes employed before she ceases to be an insured person, she shall, for the purpose of determining her title to benefits other than additional benefits, be treated as if

she had become insured for the first time on the date on which she so becomes employed:

Provided that no woman shall, by reason only of so becoming employed, be deprived of any benefit to which she would but for the provisions of this subsection have been entitled, unless and until she becomes entitled to corresponding benefit by virtue of her new insurance.

(4) No married woman shall be entitled to be a voluntary contributor during coverture:

Provided that—

(*a*) nothing in this provision shall prevent a married woman who has been employed for at least the prescribed number of contribution weeks in any period being deemed to be a voluntary contributor for the purpose of any regulations relating to the benefits of persons in arrears; and

(*b*) a married woman who, as having been on the first day of July, nineteen hundred and eighteen, a special voluntary contributor, was on that date in receipt of sickness or disablement benefit and who by reason of the continuance of the incapacity was in receipt of sickness or disablement benefit at the commencement of this Act, shall continue to be entitled to sickness or disablement benefit so long as the incapacity continues, and shall, on the expiration of a period of eight weeks commencing next after the date on which the incapacity ceases, be entitled to receive by way of benefit the sum of forty shillings.

(5) Where any woman, being an insured person and a member of an approved society, marries, the prescribed sum shall be transferred from the credit of the society to the credit of the Reserve Suspense Fund.

(6) Where any woman, being an insured person and a member of an approved society, marries and after her marriage continues to be or becomes an employed contributor, the appropriate reserve value shall be credited to the society in respect of her as if she were a person joining the society.

(7) In the case of a woman being a voluntary contributor who marries, this section shall apply as though the date of her marriage were the date of unemployment.

(8) Subject as aforesaid, the provisions of this Act shall apply to a woman who has been married, both during and after coverture, as if she had never been married.

(9) It shall be the duty of every woman who, being an insured person and a member of an approved society, marries to give notice of her marriage to her society within eight weeks thereof, and if an approved society pays to any married woman who has failed to give notice in accordance with the foregoing provisions any sum by way of sickness or disablement benefit in excess of the amount properly payable to her, the society shall, if it was not aware of her marriage, be entitled to deduct the amount so paid in excess from the amount of any benefits subsequently payable to her.

Members of the Forces of the Crown.

Seamen, marines, soldiers, and airmen.

57.—(1) For the purpose of providing seamen, marines, soldiers and airmen with such benefits during their term of service and after their return to civil life as are hereinafter mentioned, there shall be paid to the Minister by the Admiralty, Army Council and Air Council respectively, out of the moneys provided by Parliament for Navy, Army and Air Force services, in respect of every seaman and marine within the meaning of the Naval and Marine Pay and Pensions Act, 1865, of every soldier of the regular forces (not being a soldier of His Majesty's Indian Forces, of the Royal Malta Artillery or a native soldier of any regiment raised outside the United Kingdom, and of every member of the regular Air Force, if such seaman, marine, soldier or airman is a member of an approved society, a sum of fourpence halfpenny in respect of each contribution week or part of a contribution week for which he receives pay, and, if such seaman, marine, soldier or airman is not a member of an approved society, such sum per contribution week as may be prescribed:

28 & 29 Vict. c. 73.

Provided that the number of the persons in respect of whom payments are to be made under the foregoing provision shall be ascertained in such manner, and the sums to be paid thereunder shall be paid to the Minister in such manner and at such dates in each year, as shall be agreed between the Minister and the Admiralty, the Army Council and the Air Council respectively.

(2) Subject to the provisions of this Act, the Minister shall, out of the sums paid to him by the Admiralty, Army Council and Air Council under this section, retain towards discharging his liabilities in respect of reserve values under this Act or for the purpose of being applied otherwise as in this Act provided, the like amount as if each seaman, marine, soldier and airman in respect of whom a payment is made were an employed contributor and a member of an approved society, and, subject as aforesaid, the section of this Act relating to the sums to be retained by the Minister out of each weekly contribution paid by or in respect of an insured person being a member of an approved society shall have effect as if references therein to approved societies included a reference to the Navy, Army and Air Force Insurance Fund.

Subject as aforesaid, the Minister shall credit periodically to the approved societies of which the seamen, marines, soldiers and airmen are members the proper proportion of the balance of those sums, and shall credit the residue of those sums to the Navy, Army and Air Force Insurance Fund.

(3) This section shall not apply to a seaman, marine, soldier or airman who entered or enlisted before the age of sixteen until he attains that age, and on attaining that age shall apply to him as if he had entered or enlisted at the time when he attained that age.

(4) For the purposes of this section, "marine" includes every warrant officer of marines, except Royal Marine gunners, and "soldier" does not include a soldier who has not been finally accepted for service.

(5) A person to whom this section applies is in this Act referred to as "a man of the forces."

Position of men of forces who are members of approved societies.

58. A man of the forces who is a member of an approved society shall for the purposes of this Act be treated as if he had been employed within the meaning of this Act and a contribution had been paid in respect of him for each contribution week from the date of his entry or enlistment to the date of his discharge, subject, until his discharge, to the following modifications:—

(1) He shall not be entitled to medical benefit, sickness benefit or disablement benefit:

(2) Maternity benefit shall be payable notwithstanding that both he and his wife are resident outside the United Kingdom at the date of the confinement, and the society may arrange with the Admiralty, Army Council or Air Council for the administration of the benefit through the Admiralty, Army Council or Air Council:

(3) There shall be credited to the approved society of which he is a member a sum equal to fivepence halfpenny for each weekly contribution paid, and an equal sum shall be treated as having been expended on benefits, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament.

Navy, Army and Air Force Insurance Fund.

59.—(1) The provisions of the last preceding section shall apply to men of the forces who are not members of approved societies, subject to the following modifications:—

(*a*) There shall be credited to a special fund, to be called the Navy, Army and Air Force Insurance Fund (in this section referred to as "the Fund"), a sum equal to fivepence halfpenny for each weekly contribution paid in respect of every man of the forces who has not joined an approved society, and an equal sum shall be treated as having been expended on benefits, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament:

(*b*) The weekly contributions to be made by the Admiralty, Army Council and Air Council in respect of men of the forces shall be such as may from time to time be required to keep the Fund solvent:

(*c*) Any man of the forces who was at the date of his entry or enlistment a deposit contributor, shall, for the purpose of dealings with the sum standing to his credit in the Deposit Contributors Fund, be treated as if the Fund were an approved society and he had at the date of his entry or enlistment become a member of that society:

(*d*) A man of the forces shall, until discharged, be entitled to maternity benefit payable out of the Fund, and shall be entitled to such benefit notwithstanding that both he and his wife are at the date of the confinement resident outside the United Kingdom, and the benefit shall be administered by the Admiralty, Army Council or Air Council, either directly or through insurance committees:

(*e*) A man of the forces, discharged from service as such, who proves that the state of his health is such that he cannot obtain admission to an approved society may, if he so elects, on making application to the Minister in the prescribed manner within three months of his discharge or such longer time as may be prescribed, become, subject to regulations made after consultation with the Admiralty, Army Council and Air Council, entitled to benefits (other than additional benefits) at the ordinary rates.

The cost of benefits shall be payable out of the Fund, and the benefits shall be administered by insurance committees or otherwise in accordance with the regulations aforesaid, and any contributions paid under this Act by or in respect of any such man shall be paid into the Fund:

Provided that—

(i) Subject to the express provisions of this Act, no deduction from benefits shall be made on account of any pension to which a man may be entitled:

(ii) There shall in each year be repaid to the Fund out of moneys provided by Parliament a sum equal to two-ninths of the amount expended out of the Fund on benefits, including the expenses of administration:

(iii) If a man who is so entitled to benefits payable out of the Fund at any time becomes a member of an approved

society for the purposes of this Act, he shall cease to be entitled to benefits out of the Fund, and there shall be debited to the Fund and credited to that society the transfer value which would have been so debited and credited if he had been at that time transferred from one approved society to another approved society.

(2) Provision may be made by regulations for applying to the Fund and to the members of the Fund, subject to the prescribed modifications, adaptations and exceptions, the provisions of this Act relating to approved societies and to members and membership of and transfer to and from approved societies, and relating to persons lapsing from insurance, and for providing benefits (other than additional benefits) out of the Fund to men of the forces who are not members of an approved society when discharged, for such period after discharge as may be prescribed.

(3) Regulations may provide that subject to the prescribed conditions, any person being a man of the forces discharged from service as such during, or within the prescribed period after the conclusion of, the late war shall, if he is certified by the Admiralty, Army Council or Air Council to be suffering from any disease or bodily or mental disablement and if, for any reason, he is not qualified under this Act to receive benefits out of the Fund, become or continue to be entitled out of the Fund to medical benefit.

Men of forces in receipt of war pensions.

60.—(1) Where, in pursuance of any Order in Council relating to pensions of officers or seamen and marines or other persons, or of any Royal Warrant or order relating to pensions of officers, soldiers or airmen or other persons, disabled in consequence of the late war, there has been granted to any person who was a man of the forces or who was an insured person at the time of his leaving naval, military or other pensionable service, a pension in respect of disablement in the highest degree, the rate of any sickness or disablement benefit to which that person may be entitled in respect of his insurance under this Act shall, throughout the period in respect of which that pension, or a pension of greater amount

granted in lieu thereof, is payable, be reduced by seven shillings and sixpence a week, notwithstanding anything in this Act to the contrary:

Provided that a person to whom such a pension has been granted shall not be subject, or shall cease to be subject, to such reduction as aforesaid—

(i) as respects sickness benefit, if he proves that since leaving naval, military or other pensionable service he has been employed within the meaning of this Act during twenty-six weeks, whether consecutive or not, and that twenty-six weekly contributions have been paid in respect of him; and

(ii) as respects disablement benefit, if he proves that since leaving naval, military or other pensionable service he has been so employed during one hundred and four weeks, whether consecutive or not, and that one hundred and four weekly contributions have been paid in respect of him.

For the purposes of this subsection—

(*a*) an allowance in lieu of pension to a person undergoing a special course of medical treatment or undergoing treatment in an institution or receiving training in a technical institution or otherwise; and

(*b*) a pension in respect of total disablement suffered in consequence of the late war granted before the first day of April nineteen hundred and seventeen,

shall be treated as if the allowance or pension were a pension in respect of disablement in the highest degree.

For the purposes of this subsection, a person shall not be deemed to have been employed in any week unless he proves that the remuneration received in respect of the employment was such as to provide a substantial contribution towards his means of livelihood in that week.

(2) The society, committee or other body by which the sickness and disablement benefits of any person to whom subsection (1) of this section applies are

administered may, pending the settlement of his claim for pension, pay him benefit at the unreduced rate, and where benefit at the unreduced rate has been paid pending the settlement, the amount of the difference between the benefit at the unreduced rate and at the reduced rate for that period shall be treated as an advance and shall, without prejudice to any other method of recovery, be recoverable by deductions from or suspension of any benefits which may subsequently become payable to the person in question, or may, if the Minister of Pensions thinks fit, be repaid by him out of any arrears in his hands of the pension due to that person.

(3) In calculating arrears of contributions for the purposes of this Act, no account shall be taken of any arrears accruing during any period when the person in question has been subject to a reduction of, or been disentitled to, sickness or disablement benefit by virtue of this section.

General provisions relating to men of forces.

61.—(1) In the application of this Act to a man who is or has been a man of the forces—

(*a*) the date of his entry or enlistment as a man of the forces, or if he was serving on the fifteenth day of July, nineteen hundred and twelve, that date shall, unless he was an insured person at the date of his entry or enlistment, be treated as the date of his entry into insurance; and

(*b*) subject to the provisions of this Act, a man of the forces during his term of service shall,

(i) if he joined an approved society before his entry or enlistment, be deemed to reside in that national area in which he resided immediately before his entry or enlistment;

(ii) if he joined an approved society after his entry or enlistment, be deemed to reside in that national area in which the registered or head office or other principal place of business of the society or branch which he has joined is situate;

(iii) in any other case be deemed to reside in England; and

(*c*) all persons entitled to benefits payable out of the Navy, Army and Air Force Insurance Fund shall be deemed to reside in England.

(2) Discharge shall, in the case of a man of the forces who on the completion of any term of service is transferred to a reserve, include transfer to the reserve, and a man of the forces who absents himself on desertion shall be deemed to have been discharged on the date on which he so absents himself, and to re-enter or re-enlist on the date on which the absence terminates.

(3) The foregoing provisions of this Act relating to men of the forces shall, subject to such adaptations and modifications as may be prescribed, apply to men belonging to the Naval Reserves when employed on service during war or any emergency, to men of the Army Reserve and Air Force Reserve when called out on service otherwise than for training, and to men of the Territorial Army and Auxiliary Air Force when called out on embodiment or on service otherwise than for training, but except as aforesaid, shall not apply to any such men.

Mercantile Marine.

Benefits, contributions, &c., of seamen. 57 & 58 Vict. c. 60.

62.—(1) Neither sickness benefit nor disablement benefit shall be paid to a master or seaman suffering from any disease or disablement in respect of any period during which the owner of the ship is, under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expense of the necessary surgical and medical advice and attendance and medicine and of his maintenance, and he shall not be entitled to medical benefit during any such period:

Provided that, if during any part of any such period as aforesaid the owner of the ship is not liable to pay wages to the master or seaman so suffering from disease or disablement, sickness benefit in respect of that part of the period may, if the master or seaman has dependants, be paid in whole or part, and the benefit so paid shall be paid to, or applied for the relief or maintenance of, those dependants in such manner as the society or committee by which the benefit is administered, after consultation whenever possible with the master or seaman, thinks fit.

(2) Any period during which a master or seaman is, under the provisions of this section, not entitled to sickness or disablement benefit shall be excluded in computing the period of twenty-six weeks during which sickness benefit may continue, and any disease or disablement suffered by a master or seaman during any such period as is hereinbefore first mentioned shall, for the purposes of the provisions of this Act which enact that in certain cases disease or disablement is to be deemed a continuation of a previous disease or disablement, be deemed not to be a disease or disablement.

(3) In the case of masters and seamen serving on foreign-going ships the employed rate and the employer's contributions shall each be reduced by twopence a week, and every four weekly contributions paid in any prescribed period by or in respect of any master or seaman while serving in such a ship shall, for the purposes of calculating arrears, be treated as five such contributions:

Provided that there shall be credited to the approved society of which the master or seaman is a member, or, if he is a deposit contributor, to his account in the Deposit Contributors Fund, a sum equal to three-sevenths of the amount of the contributions actually paid in respect of him, and an equal sum shall be treated as having been expended on sickness benefit, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament.

(4) A master or seaman who is neither domiciled nor has a place of residence in the United Kingdom shall not be deemed to be employed within the meaning of this Act, but the employer shall be liable to pay the same contributions in respect of him as would otherwise have been payable by him as employer's contributions, except in cases where the ship is engaged in regular trade on foreign stations:

Provided that this subsection shall have effect subject to the foregoing sections of this Act which make provision for the case of persons resident outside the United Kingdom and for the making of mutual arrangements between the United Kingdom and the Irish Free State.

(5) The provisions of this Act affecting the employed rate and the rates of contributions of employers and contributors in Northern Ireland, and depriving insured persons in Northern Ireland of medical benefit, or conferring upon such persons the right to sanatorium benefit, shall not apply to any master or seaman unless he has a permanent place of residence in Northern Ireland and is not a member of the Seamen's National Insurance Society hereinafter in this Act mentioned, and, in the case of a master or seaman serving on a foreign-going ship to whom the provisions aforesaid apply, the amount by which the employed rate and the employer's contributions are to be reduced shall be one penny a week.

(6) For the purpose of ascertaining the sums to be retained by the Minister out of the contributions of masters and seamen serving in foreign-going ships for the purpose of discharging his liabilities in respect of reserve values or for the purpose of being applied otherwise as in this Act provided, every six weekly contributions at the reduced rate paid by or in respect of any such master or seaman shall be treated as seven weekly contributions.

Seamen's National Insurance Society. 1 & 2 Geo. 5. c. 55.

63.—(1) The Seamen's National Insurance Society (in the provisions of this Part of this Act relating to the Mercantile Marine referred to as "the Society"), constituted under the National Insurance Act, 1911, shall continue to exist, and shall, notwithstanding anything in this Act, be an approved society.

(2) The affairs of the Society shall be managed by a committee constituted in accordance with a scheme prepared by the Board of Trade with the approval of the Minister, and comprising representatives of the Board of Trade, of shipowners, and of members of the Society, in equal proportions, and one of the representatives of the Board of Trade shall be a person nominated by the Ministry of Labour for Northern Ireland.

(3) Any masters or seamen who are employed within the meaning of this Act, and, if the rules of the Society so provide, any masters or seamen who are voluntary

contributors, shall be entitled to become members of the Society.

(4) The rules of the Society shall provide for allowing a member who leaves the sea service and is unable to obtain admission to another approved society on account of the state of his health to remain a member of the Society for the purposes of this Act, and may so provide in the case of a member who leaves the sea service and continues to be or becomes a voluntary contributor.

(5) Members of the Society shall for the purposes of this Act be deemed to reside in England, and the medical benefit of members of the Society shall be administered by the Society instead of by insurance committees, and the provisions of this Act relating to the administration of medical benefit shall apply accordingly, subject to such modifications as may be prescribed, but nothing in this provision shall prevent the Society from agreeing with any insurance committee for the administration of medical benefit by the committee in relation to individual members of the Society.

(6) Nothing in this section shall prevent any such master or seaman as aforesaid from joining another approved society instead of the Society.

Seamen's special fund.

64.—(1) All contributions paid by employers in respect of masters or seamen who are neither domiciled nor have a place of residence in the United Kingdom, and are consequently deemed not to be employed within the meaning of this Act, shall (subject to the foregoing sections of this Act which make provision for the case of persons resident outside the United Kingdom and for the making of mutual arrangements between the United Kingdom and the Irish Free State) be credited to a special fund (in this Act referred to as "the seamen's special fund").

(2) The seamen's special fund shall be vested in trustees nominated under, and managed by a governing body constituted in accordance with, a scheme to be prepared by the Joint Committee after consultation with the Board of Trade, and comprising three representatives of shipowners and six representatives of insured persons,

and the scheme shall provide for the representatives of insured persons being selected from the members of the Society and of any other societies more than three-fourths of whose members are masters or seamen, as nearly as may be in proportion to the membership of those societies respectively.

(3) The accounts of the seamen's special fund shall be subject to audit, and the fund shall be subject to the provisions of this Act relating to valuations, surpluses and deficiencies (subject to the prescribed modifications) as if it were an approved society.

(4) The governing body of the seamen's special fund shall, subject to the approval of the Board of Trade and of the Joint Committee, prepare a scheme for the provision out of the sums credited to the seamen's special fund of such benefits for masters and seamen, being members of approved societies, as are specified in the scheme (including pensions for masters and seamen with long sea service), and the scheme may provide for preference being given to masters and seamen who have served in foreign-going ships over those who have served in coasting and home trade ships, and for such preference being proportionate to the length of time spent in the first-mentioned service.

(5) The cost of any benefits under the said scheme shall be paid as to the proper proportion thereof out of moneys provided by Parliament, and the expenses of administering the benefits under the said scheme shall, up to the prescribed amount, be apportioned in the prescribed manner among, and paid as expenses of administration of, those societies whose members include persons entitled to the said benefits.

PART IV.

FINANCIAL PROVISIONS.

Central Finance.

Constitution of National Health Insurance Fund.

65.—(1) Subject to the provisions of this Act, all sums received in respect of contributions under this Act and all sums paid out of moneys provided by Parliament

in respect of benefits, and the expenses of the administration of benefits shall be paid into a fund which shall be called "the National Health Insurance Fund" and shall be under the control and management of the Minister, and the sums required to meet expenditure properly incurred by approved societies and insurance committees for the purposes of benefits administered by them and the administration of such benefits shall be paid out of the National Health Insurance Fund.

(2) The sums payable to the National Health Insurance Fund out of moneys provided by Parliament shall be paid in such manner and at such times as the Treasury may determine.

(3) The accounts of the National Health Insurance Fund shall be audited by the Comptroller and Auditor-General in such manner as the Treasury may direct.

Crediting of reserve values.

66.—(1) On a person of the age of seventeen or upwards joining an approved society for the purposes of this Act there shall be credited to the society a capital sum (in this Act referred to as a "reserve value") calculated in accordance with tables prepared by the Minister, showing the capital sums respectively required in respect of members entering into insurance at ages over sixteen to meet the estimated loss, if any, arising through the acceptance by an approved society of those persons as members upon the terms and conditions as regards contributions and benefits prescribed by this Act.

(2) The sums so credited to a society in respect of reserve values shall carry interest at the rate of three per cent. per annum.

(3) Regulations may be made with respect to the crediting and variation (whether by way of increase or decrease) and cancellation of reserve values, and in making any such regulations regard shall be had to the abolition by section two of the National Health Insurance Act, 1922, of the Women's Equalisation Fund.

12&13Geo.5. c. 38.

Application of sums to be retained out of

67.—(1) Out of each weekly contribution paid by or in respect of an insured person who is a member of an approved society there shall be retained by the Minister, if the insured person is a man, the sum of twopence and

two-ninths of a penny, and, if the insured person is a woman, the sum of one penny and four-fifths of a penny, and the amounts so retained shall be applied as follows, that is to say:— weekly contributions.

(*a*) In the case of an insured person being a man one penny and two-thirds of a penny, and in the case of an insured person being a woman one penny and two-fifths of a penny shall, together with any other moneys available for the purpose, be applied in manner hereinafter provided towards discharging the liabilities of the Minister to approved societies in respect of the reserve values created under this Act or any Act repealed by this Act; and

(*b*) In the case of an insured person being a man five seventy-seconds of a penny, and in the case of an insured person being a woman one-twentieth of a penny, shall be carried to a fund to be called "the Central Fund," and in the case of an insured person being a man thirty-five seventy-seconds of a penny, and in the case of an insured person being a woman seven-twentieths of a penny, shall be carried to a fund to be called "the Contingencies Fund":

Provided that, if at any time it appears to the Joint Committee that, after taking into account the necessity of creating a proper reserve, the sums standing to the credit of the Central Fund are more than sufficient for the purposes for which that fund is established, the Committee may by regulations provide for decreasing the amounts to be carried to that fund and making a corresponding increase in the amounts to be carried to the Contingencies Fund.

(2) The Minister shall periodically apportion among the several societies, including for this purpose the Navy, Army and Air Force Insurance Fund, the sums retained by him and the sums, if any, otherwise available for the discharge of his liabilities in respect of reserve values, in proportion to the amount of reserve values for the time being credited to the several societies, and shall credit to each society the amount so apportioned, and any balance of the sums so credited to a society, after providing for interest on the reserve values for the time being credited

to the society, shall be written off the reserve values so credited.

(3) The Minister shall periodically apportion among the several societies the sums directed by this Act to be carried to the Contingencies Fund in the following manner, that is to say, as respects such part of the said sums as are derived from contributions paid in respect of men, in proportion to the number of contributions credited in respect of the members of those societies respectively who are men, and as respects such part of the said sums as are derived from contributions paid in respect of women, in proportion to the number of contributions credited in respect of the members of those societies respectively who are women, and the sums so apportioned to any society shall form the contingencies fund of the society and be available for making good any deficiency of the society or of the branches thereof in manner provided in this Act.

Central Fund.

68.—(1) The Central Fund shall be under the control of the Joint Committee, and there shall be carried to that fund in respect of each year the sum of one hundred and forty-five thousand pounds, to be provided as to one hundred and forty-two thousand pounds by the Parliament of the United Kingdom and as to three thousand pounds by the Parliament of Northern Ireland, together with the sums which under this Act are directed to be carried to that fund, and all accumulations of interest on the money for the time being standing to the credit of that fund:

Provided that if provision is made by regulations under the last preceding section for decreasing the amounts which under that section are to be carried to the Central Fund in such manner that those amounts will be less than one-eighth of the aggregate amounts to be carried to the Contingencies Fund and the Central Fund, the aforesaid sums of one hundred and forty-two thousand pounds and three thousand pounds shall be respectively reduced to amounts which bear the same proportion to those sums as the said decreased amounts bear to one-eighth of the said aggregate amounts.

(2) Where the Minister satisfies the Treasury as respects any sums received by him on account of sales of stamps issued for the purposes of this Act that no

claim has been or is likely to be made by or on behalf of any approved society or any deposit contributor for the crediting of those sums to the society or the Deposit Contributors Fund, those sums, after deducting therefrom any amounts payable in respect of the cost of medical benefit, shall, as to nine-tenths thereof be carried to the Central Fund, and as to the residue thereof be applied in such manner as may be prescribed:

Provided that where any such sums in respect of which the Minister satisfies the Treasury as aforesaid represent contributions paid by or in respect of masters or seamen being masters or seamen who were serving on foreign-going ships such proportion of those sums as may be prescribed shall be credited to the seamen's special fund, and the balance thereof shall be dealt with as hereinbefore in this subsection directed.

Reserve Suspense Fund.

69.—(1) For the purposes of this Act, there shall be a fund to be called "the Reserve Suspense Fund."

(2) Provision may be made by regulations generally with respect to the administration of the Reserve Suspense Fund, and any regulations so made shall provide—

(*a*) that the fund shall be kept in two parts, the one relating to the transfer values of insured persons being men, and the other relating to the transfer values of insured persons being women; and

(*b*) that the reserve values to be credited in any year to approved societies in respect of persons joining such societies for the purposes of this Act, or such portion of those reserve values as may be prescribed, shall be provided out of the sums standing in that year to the credit of the fund instead of in the manner provided by this Act; and

(*c*) for the manner in which the balance of those sums remaining after providing for reserve values shall be dealt with and applied.

(3) Provision may be made by regulations for charging to the funds of an approved society and carrying to the Reserve Suspense Fund such sum, calculated in the prescribed manner, as represents the estimated cost (inclusive of administration expenses) of medical benefit in respect of each member of the society

who attains the age of seventy years, and for determining the amounts to be transferred in each year from the fund to insurance committees in respect of any such members.

Investment Account.

70.—(1) The Minister shall ascertain periodically what sums standing in the National Health Insurance Fund to the credit of the several societies and of the Deposit Contributors Fund, the Navy, Army and Air Force Insurance Fund, and the Reserve Suspense Fund are available for investment, and the amount so ascertained shall, so far as not required under the provisions of this Act to be paid over to societies for investment, or to be retained for investment on their behalf or for the discharge of liabilities of societies, be carried to a separate account to be called "the Investment Account," and shall be paid over to the National Debt Commissioners and by them invested in accordance with regulations made by the Treasury in any securities which are for the time being authorised by Parliament as investments for Savings Banks funds, but those Commissioners shall, in making the investment, give preference to stock or bonds issued under the provisions of the Acts relating to borrowing for raising capital for the purposes of the local loans fund where the purposes for which the capital is required is the making of advances for the purposes of the Housing Acts, 1890 to 1923:

Provided that nothing in this section shall prevent the Minister paying over to the National Debt Commissioners for temporary investment, pending the ascertainment of the amount available for investment as aforesaid, any sums in the National Health Insurance Fund not required to meet current liabilities.

(2) There shall be credited to the Deposit Contributors Fund, to the Navy, Army and Air Force Insurance Fund, and to the Reserve Suspense Fund interest at the prescribed rate per annum on the sums from time to time standing to the credit of those funds respectively in the Investment Account.

(3) The National Debt Commissioners shall present to Parliament annually an account of the securities in which moneys forming part of the National Health Insurance Fund are for the time being invested.

Transactions between the Minister and approved societies.

71.—(1) Subject to the approval of the Treasury, regulations shall be made with respect to crediting and debiting to the several societies sums received and paid by the Minister on behalf of and to societies, and as to the payments to be made by and to the Minister to and by societies, and those regulations shall, among other things—

(*a*) provide for crediting to each society the contributions paid by or in respect of the members of the society after deducting the amounts retained thereout for discharging the liabilities of the Minister in respect of reserve values and for the Central Fund;

(*b*) require the Minister, on carrying any sum to the credit of an approved society in the investment account, to pay over to the society for investment, or at the request of the society to retain for investment on behalf of the society, one-half of the amount so credited to the society;

(*c*) provide for crediting to each society interest at the prescribed rate per annum on the sums for the time being standing to the credit of the society in the investment account;

(*d*) provide for the discharge of debit balances in such manner as the Minister determines, either by the reduction of the reserve values credited to the society or out of the proceeds of the realisation of securities held by the society or by the Minister on behalf of the society, and out of the sums standing to the credit of the society in the investment account, proportionately:

Provided that, in the case of any society which gives notice to that effect to the Minister, no part of the sums carried to the credit of the society in the investment account shall be paid over to the society or retained by the Minister for investment on its behalf, but the whole amount shall remain to the credit of the society in the investment account, and in such case the regulations made under the foregoing provisions shall apply to the society subject to the prescribed modifications.

(2) Every approved society shall invest any sums paid to the society for investment, and shall for the

purpose have power to invest in any investments in which trustees are for the time being by law empowered to invest trust funds, or in any stocks, mortgages or other investments issued by any local authority within the meaning of the Local Loans Act, 1875, and charged on any rates levied by or on the order or precept of that authority, or in any other investments for the time being approved by the Minister.

38 & 39 Vict. c. 83.

(3) Where at the request of a society, the Minister, instead of paying over any sum to the society, retains the sum for investment on behalf of the society, he shall invest the sum in accordance with the directions of the society in any investments in which the society might have invested it had it been paid over to the society, and shall from time to time vary the investments in accordance with the like directions, and shall pay over or credit to the society all sums received by way of interest or dividend on the investments held by him on behalf of the society.

(4) Every approved society shall apply the sums received by way of interest or dividend on investments held by the society or by the Minister on behalf of the society towards the cost of the benefits of the members of the society and the expenses of the administration of those benefits, or otherwise, as may be prescribed.

Financial Provisions relating to Approved Societies.

Accounts of approved societies.

72.—(1) Every approved society and every branch of an approved society must—

(*a*) Keep its books and accounts under this Act separate from all other books and accounts of the society or branch, and in such form as may be prescribed, and when required submit them to audit by auditors to be appointed by the Treasury;

(*b*) Submit to have its assets and liabilities under this Act valued in accordance with the provisions of this Act;

(*c*) In the event of a surplus or deficiency being shown upon any such valuation, comply with the provisions relating to surpluses and deficiencies hereinafter contained;

(*d*) Render such returns as the Minister may require.

(2) The provisions of this Act relating to accounts, audit, valuation and returns shall, as respects the transactions of any approved society or branch thereof under this Act, be substituted for such of the provisions of any Act regulating the constitution of the society or branch as deal with the like matters.

(3) In the case of a society or branch transacting other business (in this Act referred to as "private business") as well as insurance business under this Act (in this Act referred to as "state business"), all funds and credits of the society or branch under this Act shall be as absolutely the security of the members for the purposes of this Act as if they belonged to a society or branch carrying on no other business than state business, and shall not be liable for any contracts of the society or branch for which they would not have been liable had the business of the society or branch been only state business, and shall not be applied directly or indirectly for any purposes other than those of state business.

Where there has been established a separate section of a society and that separate section is an approved society under this Act, the expression "society" in this subsection means the society of which the separate section has been established and not the separate section.

Administration expenses of approved societies.

73.—(1) Subject to the provisions of this section, provision shall be made by regulations for a separate account being kept in respect of every society and branch of a society showing the amount expended on administration by that society or branch, and for limiting the amount which may be carried to that account out of the contributions under this Act, and for requiring any deficiency in that account, if not otherwise defrayed, to be met forthwith by a special levy.

(2) Subject to the consent of the Treasury, regulations may, notwithstanding any other provision of this Act, be made for authorising an approved society, being a society registered under the Friendly Societies Act, 1896, under the Trade Unions Acts, 1871 to 1917, or under the Industrial and Provident Societies Acts, 1893 to 1913, which carries on private business as well as state

59 & 60 Vict. c. 25.

business, with the consent of the Minister and subject to any prescribed conditions as to audit or otherwise, either to keep a joint account for the purpose of the administration expenses of both the private business and the state business, or for the purpose of some part of those expenses, or to pay out of the funds standing to the credit of the administration account kept by the society in respect of the state business to the account kept by the society in respect of its private business any sum not exceeding the prescribed amount, upon the terms that all or some part of the administration expenses in connection with the state business shall be defrayed out of the funds standing to the credit of the account kept in respect of the private business, and providing that the provisions of this Act relating to the audit of the accounts of approved societies shall not apply in any such case.

(3) Regulations may be made—

(*a*) imposing on members of any society who fail to pay within the prescribed time any levy which they are liable to pay such penalty by way of reduction, postponement or suspension of benefits as may be prescribed and providing for the necessary adjustments in the accounts of the society;

(*b*) extending to branches of approved societies with or without modification the provisions of any regulations made under this subsection or under subsection (2) of this section with respect to approved societies.

Valuations of approved societies.

74.—(1) A valuation of the assets and liabilities arising under this Act of every approved society and of every branch of an approved society shall be made by a valuer, to be appointed by or with the approval of the Treasury, at the expiration of every five years or at such other times as the Minister may appoint, and the times so appointed may be at shorter or longer intervals than five years and at regular or irregular intervals, and may apply to all approved societies or any particular society or societies.

(2) Every such valuation shall be made on such basis as may be prescribed.

Provisions as to appli-

75.—(1) The following provisions shall have effect in any case where on a valuation under the last preceding

section there is found a surplus which is certified by the valuer to be disposable :— cation of surpluses.

(*a*) If the society is not a society with branches, the society may submit to the Minister a scheme for distributing out of the surplus any one or more additional benefits among insured persons who are members of the society for the purposes of this Act, and upon any such scheme being sanctioned by the Minister, the society may distribute the additional benefit or benefits in accordance with the provisions of the scheme :

(*b*) If on the valuation of a branch of an approved society, a surplus is shown in respect of the branch, the branch may, with the approval of the society, submit to the Minister a scheme for distributing out of the surplus any one or more additional benefits among insured persons who are members of the branch for the purposes of this Act, and upon any such scheme being sanctioned by the Minister, the branch may distribute the additional benefit or benefits in accordance with the provisions of the scheme :

(*c*) If at any time after a scheme submitted by a society or branch has been so sanctioned as aforesaid, there is found to be a deficiency in the funds of the society or branch, no additional benefits shall be distributed under the scheme until the deficiency is extinguished.

(2) A scheme made under this section may determine the conditions to be complied with as respects the additional benefits and may provide for the reduction, suspension or deprivation of the additional benefits in the case of members who are in arrears, and if it so provides may make a corresponding modification in any regulations providing for the reduction, suspension or postponement of benefits (other than additional benefits) on account of arrears.

(3) No surplus and no part of any surplus shall be applied either—

(*a*) for the purpose of paying any benefits payable on death or any benefits other than one or more of the additional benefits specified in the Third Schedule to this Act; or

(*b*) towards making good any deficiency in any other society or branch.

(4) Additional benefits shall not, except as may be otherwise prescribed, be distributed among any persons who were not members of the society or branch on the date as at which the valuation was made.

(5) Additional benefits shall be administered by the society or branch of which the persons entitled to the benefits are members, except that where the benefits are in the nature of medical benefit, they shall be administered by and through the insurance committee.

(6) In this section the expression "additional benefits" in relation to any scheme means the additional benefits authorised by the scheme.

Application of contingencies fund towards making good deficiencies. [1918, s. 3 (2)–(6).]

76.—(1) If on the valuation of a society without branches a deficiency is disclosed, the sums standing to the credit of the contingencies fund of the society shall be applied towards making good the deficiency, and if no deficiency is so disclosed, or if the sums standing to the credit of the contingencies fund are more than sufficient to make good that deficiency, the sums standing to the credit of that fund or the balance thereof shall, subject to the provisions of this section with respect to small societies, be carried to the benefit fund of the society, but any amount so carried shall not be treated for the purposes of the last preceding section of this Act as forming part of any surplus found at that valuation.

(2) If on the valuation of any society with branches a deficiency is disclosed in the case of any one or more branches of the society, the central authority of the society shall apply the sums standing to the credit of the contingencies fund of the society towards making good those deficiencies, except that, if satisfied that any part of a deficiency is due to any maladministration by the branch in question, the central authority may, with the consent of the Minister, refuse so to make good at all or in part that part of the deficiency.

(3) If on the valuation of a society with branches there are no deficiencies in the case of any of the branches, or if the sums standing to the credit of the contingencies fund are more than sufficient to provide for the total amount of the deficiencies made good under the last

preceding subsection, the fund or the balance of the fund shall, subject to the provisions of this section relating to small societies, be apportioned among the several branches in proportion to the amounts paid into the fund in respect of contributions of members of those branches respectively since the date at which the last valuation was made, but where there was a deficiency in the case of any branch the amount so paid into the fund in respect of contributions of members of that branch shall for the purpose of this subsection be deemed to be reduced by the amount (if any) applied towards making good the deficiency.

(4) The amount apportioned under the last preceding subsection to any branch shall be applied and dealt with as follows :—

(*a*) If there was a deficiency in the case of the branch and any part thereof was not discharged out of the contingencies fund of the society as being due to maladministration, the amount shall be applied towards making good that deficiency :

(*b*) Subject as aforesaid, the amount shall be carried to the benefit fund of the branch, but any amount so carried shall not be treated for the purposes of the last preceding section of this Act as forming part of any surplus found at that valuation.

(5) Regulations of the Joint Committee shall provide, in the case of societies which at the date as at which a valuation is made have not joined an association formed or recognised under this section and have less than one thousand members, for applying pro rata to such extent, not exceeding one half, as may be necessary, any balances of the contingencies funds of those societies not required for making good deficiencies in those societies under the foregoing provisions of this section towards making good pro rata the balances of the deficiencies remaining in the case of other such societies after the application of the contingencies funds of those societies in accordance with the said provisions, subject nevertheless to the power of the Minister to refuse to allow to be made good either at all or in part any part of any deficiency which in his opinion is due to maladministration :

Provided that the Minister shall exempt from this subsection any society consisting of persons entitled to

rights in a superannuation or other provident fund established for the benefit of persons employed by one or more employers, if the employer in addition to the contributions payable by him under this Act is responsible for the solvency of the fund or for the benefits payable thereout, or is liable to pay a substantial part of, or to make substantial contributions to, or substantially to supplement the benefits payable out of, the fund, and this subsection shall not apply to any society so exempted.

(6) Regulations may be made providing for the formation within the prescribed time for the purposes of this section of associations with central financial committees, and the following provisions shall have effect in relation to any associations so formed and in relation to any such associations which are in existence at the commencement of this Act and were either formed under any enactment repealed by this Act or recognised by virtue of regulations made under any such enactment as associations so formed:—

(*a*) Regulations may be made prescribing the conditions on which and the time within which a society shall be entitled or allowed to join, or having joined, to secede from, any such association, and the manner in which and the conditions on which any such association may be dissolved:

(*b*) Subject to such adaptations as may be prescribed, this section shall apply as though the association were a society with branches and the associated societies were the branches of the society and the contingencies funds of the associated societies formed the contingencies fund of the society:

(*c*) Except so far as relates to the power of refusing to allow any part of a deficiency due to maladministration to be made good out of any contingencies fund, nothing in this subsection shall be construed as conferring on any central financial committee any powers of control over the administration of any society:

(*d*) If at the date as at which any valuation is made the aggregate number of the members of societies in any such association is less than five thousand, those societies shall, for

the purposes of this section, be treated in relation to that valuation as if they had not been associated.

(7) If, in the case of a society consisting of persons entitled to rights in a superannuation or other provident fund established for the benefit of persons employed by one or more persons the employer is responsible for the solvency of the fund, or for the benefits payable thereout, he shall not, in the event of a deficiency being disclosed on a valuation of the society be required to make good the deficiency or to make up to their full amount the benefits payable out of the fund except in so far as the contingencies fund of the society is insufficient for the purpose, but save as aforesaid nothing in the provisions of this section shall affect any obligation in relation to such a society undertaken by the employer whereby he becomes responsible for the solvency of the fund or for the benefits payable thereout, or liable to pay a substantial part of, or to make substantial contributions to, or substantially to supplement the benefits payable out of, the fund.

(8) In this section the expression "benefit fund" means the fund out of which benefits payable by the society or branch are provided.

Application of Central Fund towards making good deficiencies.

77.—(1) If on the valuation of any society or any branch of a society a deficiency is disclosed, and the sums in any contingencies funds available to make good that deficiency are not sufficient, the Joint Committee, if satisfied that the deficiency is due in whole or in part to an abnormal rate of sickness among the members of the society or branch attributable to the nature of their employment or environment or their physical condition or any epidemic disease, or is due to the rate of sickness being abnormal by reason of the small membership of the society or branch or is due to any other special cause beyond the control of the society or branch, may, out of the Central Fund, make good the whole or part of the deficiency in so far as it is not made good out of the available contingencies funds, and, in the case of a society in relation to which an employer has undertaken any obligation, in so far as it is not made good in accordance with that obligation.

(2) For the purpose of determining whether the claim of any society or branch for relief out of the Central

Fund should be granted, the Joint Committee shall, if so requested by the society, or in the case of a branch by the central authority of the society, appoint an independent body, constituted in accordance with regulations made by the Joint Committee, to investigate the circumstances to which the deficiency was attributable, and in determining whether and to what extent relief should be granted out of the Central Fund to the society or branch shall have regard to the report of the investigating body.

Provision for deficiencies not met out of contingencies fund or Central Fund.

78.—(1) Any deficiency not made good from any contingencies fund or the Central Fund or, in the case of a society in relation to which an employer has undertaken any obligation, by the employer in pursuance of that obligation, shall be made good in accordance with a scheme for that purpose to be prepared by the society, or, in the case of a deficiency in a branch, by the branch subject to the approval of the society, and submitted to the Minister for his sanction, and any such scheme shall provide for making good the deficiency, within a period of five years, or such other period as the Minister may require in any particular case, from the expiration of six months after the date on which the valuation report is issued to the society, in any one or more of the following ways:—

(*a*) By a compulsory levy by way of increase of the weekly rate of contributions upon members of the society or branch being insured persons:

(*b*) By reducing the rate of sickness benefit either for the whole period during which sickness benefit is payable or any part thereof:

(*c*) By deferring the day as from which sickness benefit becomes payable:

(*d*) By reducing the period during which sickness benefit is payable:

(*e*) By increasing the period which is required by this Act to elapse between two periods of disease or disablement to prevent the one being treated as a continuation of the other:

(*f*) By any other method approved by the Minister:

and on the sanction of the Minister being given to the scheme, the society or branch shall proceed to make good the deficiency in accordance therewith.

(2) Payment of the amount of any compulsory levy made in accordance with a scheme sanctioned under this

section may be enforced in such manner as may be provided by the rules of the society or branch, and, where those rules so provide, it shall be lawful for the society or branch in the case of any member to enforce payment of the amount of the levy by giving notice in the prescribed manner to the employer of that member requiring him to pay the amount of the levy, and upon such notice being given, that amount shall be payable as if it were part of the contribution to be paid by the employer on behalf of the member, and all the provisions of this Act relating to the payment of such contributions and the recovery thereof from members shall apply accordingly.

(3) If within six months after the declaration of a deficiency or, where an inquiry as to excessive sickness is pending under this Act, such longer period as the Minister may determine, such a scheme as aforesaid has not been submitted to and sanctioned by the Minister, or if at any time thereafter it appears to the Minister that the society or branch to which the scheme relates is not enforcing the provisions of the scheme, the Minister may take over the administration of the affairs of the society or branch under this Act, and shall, as soon as possible thereafter, take such steps as he may think necessary to make good the deficiency by any or all of the methods mentioned in subsection (1) of this section, and for that purpose shall be entitled to exercise all or any of the powers given to the society or branch by this Act.

(4) The Minister after taking over the administration of the affairs of any society or branch shall within a reasonable time, not exceeding three years, make arrangements for the restoration to the society or branch of its powers of self-government, or, failing that, for the dissolution of the society or branch.

(5) Any question or dispute arising between the Minister and the society or branch in respect of the amount of the deficiency, or as to the adequacy of any scheme proposed for making it good, shall be submitted to an independent valuer to be appointed by the Lord Chief Justice of England, and the valuer so appointed shall, subject to the provisions of this Act and of any regulations, act, so far as practicable, on his own knowledge and experience, and shall have power to determine

how and by what parties the costs of proceedings, including his own remuneration, not exceeding such amount as the Treasury may prescribe, are to be defrayed, and his decision shall be final and conclusive.

(6) A scheme made under this section shall not affect any person who becomes a member of the society or branch after the date as at which the valuation was made or any member over seventy years of age.

(7) Any member liable to a levy payable at intervals may relieve himself of the liability thereto, and a member subject to a diminution of benefits by virtue of any such scheme may, with the consent of the society or branch, acquire a right to undiminished benefits, on payment to the Minister of the capitalised value of the levy or diminution of benefits, as the case may be, ascertained in the prescribed manner.

Restrictions on transfer from society in deficiency.

79.—(1) Where on a valuation a deficiency has been disclosed in the case of any society or any branch of a society and a scheme for making good the deficiency has been made under this Act, no insured person who was a member of the society or branch at the date as at which the valuation was made shall be entitled, till the deficiency has been made good, to be transferred from that society or branch to another society or to any branch of the same society except on payment to the Minister at the time of his transfer, to be credited to the first-mentioned society or branch, of an amount to be ascertained in the prescribed manner equal to the capitalised value of any levy which would have been payable by him, or of any reduction of benefits to which he would have been liable, if he had not ceased to be a member of that society or branch.

(2) If any insured person ceases to be a member of any society or any branch of a society at any time between the date as at which a valuation of the society or branch is made (being a valuation on which a deficiency is subsequently disclosed) and the date on which the scheme for making good the deficiency comes into operation and becomes a member of some other society or branch, he shall on demand pay to the Minister, to be credited to the first-mentioned society or branch, such an amount as he would have been required to pay if he had remained a member of that society or branch and were about to be transferred to another society or

branch, and if he fails to do so he shall be subject to such reduction, suspension or postponement of benefits as may be prescribed, and the necessary adjustments shall be made in the accounts of the societies or branches concerned.

Special provisions as to societies with branches.

80.—(1) Where a society with branches is so organised that the branches in different national areas are grouped together for the purposes of this section, the branches in any of those areas may, if and to such extent as the rules of the society so provide and if the number of members of the branches being insured persons in the area exceeds five thousand, be treated for the purposes of the provisions of this Act relating to valuations, surpluses and deficiencies as if they formed a separate society.

(2) The rules of any society with branches may provide for the branches reinsuring with the society their liabilities in respect of any benefits or, if the society is so organised as aforesaid, for such reinsurance either with the society or with the group.

(3) Where a society with branches has among its members insured persons who are not members of any branch and the benefits of those members are administered by the society itself, those members shall be treated for the purposes of the provisions of this Act relating to valuations, surpluses and deficiencies as if they formed a separate branch.

Power to separate men's and women's funds.

81. Where an approved society, not being a society with branches, has amongst its members both men and women and the rules of the society so provide, the provisions of this Act with respect to valuations, surpluses and deficiencies shall apply to the society as if it were a society consisting of two branches, the one comprising the male members and the other comprising the female members.

Provisions relating to Finance of Insurance Committees.

Accounts of insurance committees

82.—(1) Every insurance committee shall keep proper books and accounts in the prescribed form and shall, when required, submit their accounts to audit by auditors appointed by the Treasury.

(2) The provisions set out in Part I. of the Fourth Schedule to this Act shall have effect with respect to the accounts of insurance committees and the audit thereof.

Provision of funds for insurance committees.

83.—(1) All sums payable in respect of the members of approved societies and deposit contributors resident in the county or county borough for the purposes of medical benefit and administration expenses in any year shall be paid or credited to the insurance committee at the commencement of that year, or at such time or times and in such instalments and in such manner and proportions as may, with the consent of the Treasury, be prescribed.

(2) Subject to the provisions of this section there shall be paid in each year to insurance committees in Great Britain out of the funds out of which benefits are payable under this Act, on account of the cost of medical benefit, a sum of nine shillings and sixpence, and on account of the administration expenses of those committees such sum not exceeding sixpence as may be prescribed, in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to medical benefit as being or having been members of an approved society.

(3) Payments under this section shall be made in accordance with regulations to be made with the approval of the Treasury, and any such regulations so made may make special provision as to the sum to be paid on account of the cost of the medical benefit of, and otherwise with respect to, members of an approved society who are persons employed as masters or seamen serving on foreign-going ships.

(4) It shall be lawful for any local authority, out of any fund or rate out of which the expenses of the authority are payable, to subscribe such sums as they may think fit towards the general purposes of the insurance committee.

Travelling expenses, &c., of members of insurance committees.

84.—(1) If the special circumstances of any county or county borough are such that the Minister considers that the travelling expenses of the members of the insurance committee for that county or county borough should be repaid to them by the committee, the Minister may authorise the committee to repay the whole or any part of any such expenses, and any sum so repaid shall be treated as part of the administration expenses of the committee.

(2) In addition to any allowances for travelling expenses which may be paid under this section an

insurance committee may pay to the members of the committee subsistence allowance and compensation for loss of remunerative time in accordance with a scheme prepared by the committee and approved by the Minister, and there shall be paid out of moneys provided by Parliament towards the expenses of an insurance committee under any such scheme, such sum (if any) as the Minister, with the consent of the Treasury, may determine, so, however, that the aggregate amount paid under this subsection shall not exceed twenty-eight thousand pounds in any one year.

Contributions by local authorities towards medical benefit.

85.—(1) If in any year the amount payable to an insurance committee in respect of all persons for the administration of whose medical benefit they are responsible is insufficient to meet the estimated expenditure thereon, the committee may, through the Minister, transmit to the Treasury and to the council of the county or county borough an account showing the amount so payable and the estimated expenditure, and the Treasury and the council of the county or county borough may, if they think fit and if satisfied that the amounts so payable and the proposed expenditure are reasonable and proper in the circumstances, sanction the expenditure.

(2) The Treasury and the council of the county or county borough sanctioning any such expenditure as aforesaid shall thereupon each be liable to make good, in the case of the Treasury out of moneys provided by Parliament, and in the case of the council of a county or county borough, out of the county fund or borough fund or borough rate, as the case may be, one-half of any sums so sanctioned by them and expended by the insurance committee on medical benefit in the course of the year in excess of the amounts so payable to the insurance committee as aforesaid.

(3) The council of any borough or urban or rural district may agree with the council of the county in which the borough or district is situate to repay to the council of the county the whole or any part of the sums payable by that council in accordance with the provisions of this section towards the excess expenditure on medical benefit so far as that excess is properly attributable to the borough or district, and any sums payable by the council of the borough or district in pursuance of such an agreement

shall be payable, in the case of a borough, out of the borough fund or borough rate, and, in any other case, as part of the general expenses incurred by the council in the execution of the Public Health Acts.

(4) An agreement under this section may provide that the county council shall not raise any sum on account of any expenditure incurred by them under this section for the purpose to which the agreement relates within the area of any borough or urban or rural district the council of which has entered into such agreement, during the continuance of the agreement.

Provision by insurance committees for expenses of panel and pharmaceutical committees.

86.—(1) The insurance committee, if requested so to do by any panel committee or any pharmaceutical committee, may be authorised by the Minister out of moneys available for the provision of medical benefit within the area to allot to each of those committees respectively for the administration expenses of the committee, such a sum as may be determined by the insurance committee with the consent of the Minister not exceeding twopence in all in respect of each year in respect of each insured person entitled to obtain medical treatment and attendance from the practitioners who have entered into agreement with the insurance committee.

(2) Any travelling expenses incurred by members of any panel committee or pharmaceutical committee in attending meetings of the committee or of any sub-committee thereof, and any expenses incurred by any such members on account of subsistence while so attending, shall be deemed to be administration expenses of the panel or pharmaceutical committee, as the case may be.

Power of insurance committees to subscribe to association of committees.

87. An insurance committee may pay as general expenses incurred by them in the execution of their duties any sum, not exceeding in respect of any year ten pounds, or any such greater amount as the Minister approves not exceeding twenty pounds, as a subscription to the funds of any association of insurance committees whose objects are approved by the Minister, as well as any reasonable expenses of the attendances of representatives, not exceeding in any case four, at meetings of any such associations, on a scale to be approved by the Minister.

Part V.

Central Administration.

Joint Committee.

National Health Insurance Joint Committee.

88.—(1) For the purposes of this Act there shall be a Joint Committee (in this Act referred to as "the Joint Committee") which shall consist of the Minister, who shall be chairman, the Secretary for Scotland and the Minister of Labour for Northern Ireland, together with one other person appointed by the Minister, being a person having special knowledge and experience of national health insurance in Wales.

(2) The Joint Committee shall be a body corporate by the name of "the National Health Insurance Joint Committee," and shall have an official seal which shall be officially and judicially noticed, and the seal of the Committee may be authenticated by any member of or the secretary to the Committee, or by any person authorised by the Committee to act on behalf of the secretary.

(3) The Joint Committee shall make regulations providing for the appointment of deputies to act for the several members of the Committee at meetings of the Committee at which those members are unable to be present.

(4) The Joint Committee may make such financial adjustments as may be necessary between the several funds under the control and management of the Minister, the Scottish Board of Health and the Ministry of Labour for Northern Ireland, and for the purposes of co-ordination shall exercise and perform such powers and duties of the Minister, the Board and the Ministry under this Act, either alone or jointly with any of them, as regulations of the Committee may prescribe.

(5) The Joint Committee may make regulations as to the valuation of societies and branches which have among their members persons resident in any two or more national areas.

(6) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Joint Committee as if that Committee were included in the first column of the Schedule to the first-mentioned Act, and as if the chairman or other member or the secretary, or any person authorised to

31 & 32 Vict. c. 37.
45 & 46 Vict. c. 9.

act on behalf of the secretary, of the Committee, were mentioned in the second column of that Schedule, and as if the regulations referred to in those Acts included any document issued by the Committee.

Determination of Questions and Disputes.

Determination of questions by Minister.

89.—(1) If any question arises—

(*a*) whether any employment or any class of employment is or will be employment within the meaning of this Act, or whether a person is or was a person employed within the meaning of this Act, or whether a person is entitled to become a voluntary contributor; or

(*b*) as to the rate of contributions payable by or in respect of any insured person; or

(*c*) as to the rates of contributions payable in respect of an employed contributor by the employer and the contributor respectively; or

(*d*) as to the person who is or was the employer of an employed contributor;

the question shall be determined by the Minister, in accordance with regulations made for the purpose:

Provided that—

(i) if any person is aggrieved by the decision of the Minister on any question arising under paragraph (*a*) or paragraph (*d*), he may appeal therefrom on any question of law to a judge of the High Court selected for the purpose by the Lord Chancellor, and the decision of that judge shall be final:

(ii) the regulations may provide for questions under paragraph (*b*) being determined, in the case of any person who is or is about to become a member of an approved society, by the society:

(iii) the Minister may, if he thinks fit, instead of himself deciding whether any class of employment is or will be employment within the meaning of this Act, submit the question for decision to the High Court, and the decision of that Court shall be final.

(2) The Minister may, on new facts being brought to his notice, revise any decision given by him under this section, other than a decision against which an appeal is pending or as respects which the time for appealing has not expired, and an appeal shall lie against any such revised decision in the same manner as against an original decision.

(3) Provision may be made by rules of court for regulating appeals and references to the High Court under this section, and those rules shall provide for limiting the time within which an appeal to the High Court under this section may be brought and for the determination in a summary manner of any appeals or references to the High Court under this section, and for requiring notice of any such appeals to be given to the Minister.

(4) The Minister shall be entitled to appear and be heard on any appeal or reference under this section.

Decision of disputes.

90.—(1) Subject to the provisions of the last-preceding section of this Act—

(*a*) Every dispute, relating to anything done or omitted by that person, society or branch (as the case may be) under this Act or any regulations made thereunder, between—

(i) an approved society or a branch thereof, and an insured person who is a member of the society or branch or any person claiming through such a person;

(ii) an approved society or branch thereof, and any person who has ceased to be a member for the purposes of this Act of the society or branch, or any person claiming through such a person;

(iii) an approved society and any branch thereof;

(iv) any two or more branches of an approved society; and

(*b*) Every dispute between an approved society and any person as to whether that person is or was at any date a member of that society for the purposes of this Act,

shall be decided in accordance with the rules of the society, but any party to such dispute may, in such cases

and in such manner as may be prescribed, appeal from the decision to the Minister.

(2) Every dispute between—

(*a*) an insured person and an insurance committee;

(*b*) two or more approved societies;

(*c*) an approved society and an insurance committee;

(*d*) two or more insurance committees;

relating to anything done or omitted by such person, society, or insurance committee under this Act or any regulations made thereunder, shall be decided in the prescribed manner by the Minister.

(3) The Minister may, subject to the provisions of this Act, authorise referees appointed by him to decide any appeal or dispute submitted to him under this section.

(4) Regulations may be made providing for the procedure on any such appeal or dispute, and any such regulations may apply any of the provisions of the Arbitration Act, 1889, but except so far as it may be so applied, that Act shall not apply to proceedings under this section, and any decision given by the Minister or a referee under this section shall be final and conclusive.

Provision as to exercise of judicial powers of Minister.

91. In such matters of a judicial nature arising under this Act as may be prescribed, the powers and duties of the Minister shall be exercised by him through a special body or special bodies of persons constituted in such manner as may be prescribed.

Inspectors.

Powers of inspectors.

92.—(1) An inspector appointed by the Minister for the purposes of this Act (in this Act referred to as "an inspector"), shall, for the purposes of the execution of this Act, have power to do all or any of the following things, namely:—

(*a*) to enter at all reasonable times any premises or place, other than a private dwelling-house not being a workshop, where he has reasonable grounds for supposing that any employed contributors are employed;

(*b*) to make such examination and inquiry as may be necessary for ascertaining whether the pro-

visions of this Act are complied with in any such premises or place;

(*c*) to examine, either alone or in the presence of any other person, as he thinks fit, with respect to any matters under this Act, every person whom he finds in any such premises or place, or whom he has reasonable cause to believe to be or to have been an employed contributor, and to require every such person to be so examined and to sign a declaration of the truth of the matters in respect of which he is so examined;

(*d*) to exercise such other powers as may be necessary for carrying this Act into effect.

(2) The occupier of any such premises or place and any other person employing any employed contributor, and the servants and agents of any such occupier or other person, and any employed contributor shall furnish to an inspector all such information and shall produce for inspection all such registers, books, cards and other documents as the inspector may reasonably require.

(3) Where any such premises or place are liable to be inspected by inspectors or other officers of, or are under the control of, some other Government department, the Minister may make arrangements with that other Government department for any of the powers and duties of inspectors under this section being carried out by inspectors or other officers of the other Government department, and where such an arrangement is made, those inspectors and officers shall have all the powers of an inspector under this section.

(4) An inspector shall be furnished with the prescribed certificate of his appointment, and on applying for admission to any premises for the purposes of this Act shall, if so required, produce the said certificate to the occupier.

(5) The Minister may empower an inspector to exercise in respect of any approved society or any branch of an approved society all or any of the powers given by section seventy-six of the Friendly Societies Act, 1896, to an inspector appointed thereunder:

Provided that any complaint or report as to any such branch as aforesaid made by an inspector under this subsection shall be communicated to the central authority of the society.

(6) No one shall be required under this section to answer any question or give any evidence tending to incriminate himself.

Regulations and Orders.

Regulations.

93.—(1) Regulations may be made under this Act for any of the following purposes, that is to say:—

(*a*) for any purpose for which regulations are expressly authorised to be made by any of the provisions of this Act;

(*b*) for prescribing anything which under this Act is to be prescribed; and

(*c*) generally for carrying this Act into effect.

(2) All regulations made under this Act shall be laid before both Houses of Parliament as soon as may be after they are made, and shall have effect as if enacted in this Act, and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(3) Any regulations made under any of the provisions of this Act specified in the Fifth Schedule to this Act may contain such incidental, supplemental and consequential provisions as appear necessary for modifying and adapting the provisions of this Act to the provisions of the regulations and otherwise for the purpose of the regulations.

Rules as to making, &c., of special orders, &c.

94.—(1) Before the Minister makes any special order under this Act he shall publish, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the order, and of the place where copies of the draft order may be obtained, and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft order by or on behalf of persons affected must be sent to him.

(2) Every objection must be in writing and state the draft order or portions of draft order objected to, the specific grounds of objections, and the omissions, additions or modifications desired.

(3) The Minister shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft order and cause the amended draft to be dealt with in like manner as an original draft.

(4) When the Minister does not amend or withdraw any draft order to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous) he shall, before making the order, direct an inquiry to be held in manner hereinafter provided.

(5) The Minister may appoint a competent and impartial person to hold an inquiry with regard to any draft order and to report to him thereon, and the following provisions shall have effect in relation to any such inquiry:—

(*a*) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft order, may appear at the inquiry either in person or by counsel, solicitor or agent:

(*b*) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath:

(*c*) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Minister:

(*d*) The fee to be paid to the person holding the inquiry shall be such as the Minister may direct and shall be deemed to be part of the expenses of the Minister in carrying this Act into effect.

(6) Before a special order comes into force, it shall be laid before each House of Parliament for a period of not less than thirty days during which that House is sitting, and, if either of those Houses before the expiration of those thirty days presents an address to His Majesty against the order or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new order.

Power to revoke and vary orders.

95. Any order or special order made under this Act may be revoked, varied or amended by an order or special order made in like manner as the original order.

PART VI.

LEGAL AND MISCELLANEOUS.

Offences, Legal Proceedings, &c.

Offences.

96.—(1) If for the purpose of obtaining any benefit or payment or the crediting of a reserve value under this Act, either for himself or for any other person, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding three months with or without hard labour.

(2) If—

(*a*) any employer fails to pay any contributions which under this Act he is liable to pay; or

(*b*) any employer deducts or attempts to deduct from the wages or other remuneration of an employed contributor the whole or any part of the employer's contribution; or

(*c*) any employer, insured person or other person is guilty of any other contravention of or non-compliance with any of the requirements of this Act or the regulations made thereunder in respect of which no special penalty is provided;

he shall, for each offence, be liable on summary conviction to a fine not exceeding ten pounds, and where the offence is failure or neglect on the part of the employer to pay any contributions, to pay to the Minister a sum equal to the amount of the contributions which he has so failed or neglected to pay, which sum when paid shall be treated as a payment in satisfaction of such contributions:

Provided that no person shall be liable to any penalty in respect of any matter if he has acted in conformity with any decision in respect thereto by the Minister.

(3) If any person buys, sells or offers for sale, takes or gives in exchange, or pawns or takes in pawn, any insurance card, insurance book or used insurance stamp, he shall be liable on summary conviction to a fine not exceeding twenty pounds, and in any proceedings under this subsection with respect to used insurance

stamps, an insurance stamp shall be deemed to have been used if it has been cancelled or defaced in any way whatever, and whether it has been actually used for the purpose of payment of a contribution or not.

(4) If any person wilfully delays or obstructs an inspector in the exercise of any power under the section of this Act relating to the powers of inspectors or fails to give such information or to produce such documents as provided in that section, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, he shall be liable on summary conviction to a fine not exceeding five pounds.

Time for institution of proceedings, power of inspector to prosecute, &c.

97.—(1) Notwithstanding any enactment prescribing the time within which proceedings may be brought before a court of summary jurisdiction—

(*a*) proceedings against an employer under this Act for the offence of failing or neglecting to pay any contribution in respect of a person, or proceedings against any person for buying, selling, offering to sell, taking or giving in exchange, pawning or taking in pawn any insurance card, insurance book or used insurance stamp, may be brought at any time within one year from the date of the commission of the alleged offence; and

(*b*) proceedings for any offence under this Act may be brought either within the time prescribed by any such enactment as aforesaid or within three months from the date on which evidence sufficient in the opinion of the Minister to justify a prosecution for the offence comes to his knowledge, whichever is the longer, and for the purposes of this provision a certificate purporting to be signed by the Minister as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence thereof.

(2) Where an employer has been convicted under this Act of the offence of failing or neglecting to pay any contribution in respect of a person, then, if notice of the intention so to do is served with the summons or warrant, evidence may be given of failure or neglect on the part of that employer to pay other contributions in respect of that person during the year preceding the date when the

information for the offence was laid, and on proof of such failure or neglect the employer shall be liable to pay to the Minister a sum equal to the total amount of all the contributions which he is so proved to have failed or neglected to pay.

(3) An inspector or other officer appointed for the purposes of this Act shall, if authorised in that behalf by any special or general directions of the Minister, have power to take proceedings for any offence under this Act, and may, if authorised in that behalf by such directions as aforesaid, although not a counsel, solicitor or law agent, prosecute or conduct before a court of summary jurisdiction any proceedings for any such offence.

(4) In any summary proceedings under this Act whether for an offence or for the recovery of any sum as a civil debt the decision of the Minister on any question whether or not a person is or was an employed person or is or was the employer of an employed contributor within the meaning of this Act shall, unless an appeal against the decision is pending or the time for appealing against the decision has not expired, be conclusive for the purpose of those proceedings, and, if such a decision has not been obtained and the decision of the question is necessary for the determination of the proceedings, the question shall be referred to the Minister for decision in accordance with the provisions of this Act, and, where any such appeal is pending or the time for so appealing has not expired or any question has been so referred to the Minister, the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.

Civil proceedings by employee against employer for non-compliance with Act.

98.—(1) Where an employer has failed or neglected to pay any contribution which under this Act he is liable to pay in respect of any insured person in his employment (in this section referred to as "an employee"), or has failed or neglected to comply in relation to any employee with the requirements of any regulations relating to the payment and collection of contributions, and by reason thereof the employee or any person claiming through the employee has lost in whole or in part any benefits to which he would have been entitled under this Act, the employee or person so claiming shall be entitled to recover summarily from the employer as a civil debt a sum equal to the amount of any sickness, disablement or maternity benefit which he has lost as aforesaid, and a sum equal to

the amount of any expenses which he has incurred by reason of not being entitled to medical benefit.

(2) If an employee who is a member of an approved society refuses or neglects to enforce any claim under the preceding provisions of this section, the society may take the necessary proceedings in the name and on behalf of the employee:

Provided that, if any society takes proceedings as aforesaid and fails in the proceedings, it shall be responsible for the costs of the proceedings as if it were claiming on its own account.

(3) If an employee is not a member of an approved society he or any person claiming through him shall in any proceedings under this section be entitled to recover from the employer the same amount as if the employee had been a member of an approved society.

(4) Proceedings may be taken under this section notwithstanding that proceedings have also been taken under any other enactment in respect of the same failure or neglect.

(5) Proceedings under this section may, notwithstanding any provision in any enactment, be brought at any time within one year after the date on which the employee, but for the failure or neglect of the employer, would have been entitled to receive the benefit which he has lost.

Power to take evidence on oath at statutory inquiries.

99. Where under any provision of this Act or any regulations made thereunder the Minister is required or authorised to hold, or to appoint any committee or person to hold, an inquiry, the witnesses shall, if the Minister thinks fit, or if any one of the parties so demands, be examined on oath, and the committee or person appointed to hold the inquiry shall have power to administer oaths for the purpose.

Miscellaneous.

Exemptions from stamp duty of certain documents required for purposes of Act.

100. Stamp duty shall not be chargeable upon the following documents in connection with business under this Act, namely:—

(1) Draft, order or receipt given by or to an approved society or branch or insurance committee in respect of money payable in pursuance of this Act, or of the rules of the society or branch:

(2) Letter or power of attorney granted by any person as trustee for the transfer of any money of an approved society or branch or insurance committee, invested in his name in the public funds:

(3) Bond or other security given to, by or on account of an approved society or branch or by the treasurer or other official thereof:

(4) Appointment or revocation of appointment of agent, or other document required or authorised by or in pursuance of this Act, or by the rules of an approved society or branch:

(5) Agreement entered into between an approved society or branch and an insurance committee in relation to medical benefit.

Provisions as to birth, death and marriage certificates.

101.—(1) Where, for the purposes of this Act, the age of any person is required to be proved by the production of a certificate of birth, or the marriage of any person is required to be proved by the production of a certificate of marriage, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed, and on payment in the case of a certificate of birth of a fee of sixpence and in the case of a certificate of marriage of a fee of one shilling, be entitled to obtain a certified copy of the entry of the birth or marriage, as the case may be, of the person in question in the register of births or the register of marriages, under the hand of the registrar having the custody thereof, and forms of requisition shall on request be supplied without any charge by every registrar.

In the application of the foregoing provision to certificates of birth, the expression "registrar" means a registrar of births and deaths or a superintendent registrar, and in its application to certificates of marriage means the registrar or superintendent registrar or other person having the care of the register in which the marriage is entered.

(2) Regulations may be made for applying the provisions of section ninety-seven of the Friendly Societies Act, 1896, subject to any necessary modifications, to certificates of death of insured persons required for the purposes of this Act.

Protection against distress and execution in certain cases.

102.—(1) Where the medical practitioner attending any insured person in receipt of sickness benefit certifies that the levying of any distress or execution upon any goods or chattels belonging to the insured person and being on premises occupied by him, or the taking of any proceedings in ejectment or for the recovery of any rent or to enforce any judgment in ejectment against that person, would endanger his life, and the certificate has been sent to the insurance committee and has been recorded in manner hereinafter provided, it shall not be lawful during such period as is specified in the certificate for any person to levy any such distress or execution or to take any such proceedings or to enforce any such judgment against the insured person:

Provided that, if any person desirous of levying any such distress or execution or taking any such proceedings or enforcing any such judgment disputes the accuracy of the certificate, he may apply to the registrar of the county court, and the registrar, if he is of opinion that the certificate should be cancelled or modified, may make an order cancelling or modifying it, and no appeal shall lie against any such order or a refusal to make any such order.

(2) A certificate granted for the purpose of this section shall continue in force for one week or such less period as may be specified in the certificate, but may be renewed from time to time for any period not exceeding one week, up to but not beyond the expiration of three months from the date of the grant of the original certificate, but no such renewal shall have effect unless sent to the insurance committee and recorded as aforesaid:

Provided that the protection conferred by this section shall not extend beyond the expiration of one month from the said date if, on demand being made by the person desirous of levying distress or execution or taking proceedings or enforcing judgment, proper security is not given for payment of rent thereafter to become due from the insured person or the amount of the judgment debt, as the case may be, and any dispute as to the sufficiency of the security shall be determined by the registrar of the county court whose decision shall be final.

(3) If any person knowingly levies or attempts to levy any distress or execution or takes any proceedings

or enforces or attempts to enforce any judgment in contravention of this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

(4) A certificate or renewal thereof granted under this section shall forthwith be sent to the insurance committee, and the committee shall, unless they have reason to suspect its genuineness, record it without fee in a special register, and the register shall at all reasonable times be open to inspection.

(5) The genuineness of a certificate so recorded shall not be questioned in any proceedings against a sheriff or other officer for failure to levy any distress or execute any warrant.

(6) Where the time within which a warrant may be executed is limited, any period during which the warrant cannot be executed by reason of the provisions of this section shall be disregarded in computing the time within which the warrant may be executed.

Provisions as to casual and intermittent employment.

103.—(1) The Minister may, by special order, modify this Act in its application to persons whose employment is of a casual or intermittent nature and the employers of such persons, and any such order may apply either generally or to any one or more particular trades or industries or branches thereof, and either generally or in any one or more particular localities, and where any such order is an order applying to a particular trade or industry or branch thereof in a particular locality, it may extend to other persons if employed in the same class of employment as the persons to whom the order primarily relates.

(2) The order may make provision—

(*a*) as to the amount of the employed rate and the contributions payable by the employer and by the employed contributor respectively; and

(*b*) as to the payment, recovery and collection of such contributions in such manner, in such proportions and in respect of such periods, as may be specified; and

(*c*) for the apportionment among employers of the amounts payable by employers; and

may modify and adapt the provisions of this Act accordingly:

Provided that the employer's contributions shall not exceed ninepence nor the employed contributor's contributions fivepence, or in the case of a woman fourpence, in any contribution week, nor, if the contributions are payable day by day, shall the employed contributor's contribution for any day exceed one penny.

(3) In the case of a draft order made under this section, any inquiry to be held before the making of the order shall, instead of being held in manner provided by the section of this Act relating to the making of special orders, be an inquiry held by one or more competent and impartial persons to be appointed by the Lord Chancellor on the demand, made in the prescribed manner, of the person making the objection to the draft order.

(4) The provisions of the section of this Act as to the laying of regulations before both Houses of Parliament and the proceedings consequent thereon shall apply to special orders made under this section in lieu of the provisions contained in the section of this Act relating to the making of special orders.

Persons of unsound mind.

104. Regulations may be made enabling approved societies and insurance committees, and in the case of persons entitled to benefits out of the Navy, Army and Air Force Insurance Fund, the Admiralty, Army Council or Air Council, to appoint a person to exercise on behalf of any insured person of unsound mind any right of election which that person is, under this Act, entitled to exercise, and to appoint a person to receive on behalf and for the benefit of such person any sums by way of benefit which would otherwise have been payable to him.

Benefits not to be taken into consideration in certain cases.

105.—(1) In granting out-door relief to a person in receipt of or entitled to receive any benefit a board of guardians shall not take into consideration any such benefit, except so far as the benefit exceeds seven shillings and sixpence a week.

35 & 36 Vict. c. 65.

(2) In deciding whether or not they shall make an order under the Bastardy Laws Amendment Act, 1872, for the payment of the expenses incidental to the birth of a child, the justices shall not take into consideration the fact that the mother of the child is entitled to receive maternity benefit.

Priority of claims for contributions due by companies being wound up. 8 Edw. 7. c. 69.

106.—(1) There shall be included among the debts which, under section two hundred and nine of the Companies (Consolidation) Act, 1908, are, in the distribution of the assets of a company being wound up, to be paid in priority to all other debts, all contributions payable under this Act by the company in respect of employed contributors during the four months before the commencement of the winding up or the winding-up order, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this section shall not be required except in cases where it may otherwise be provided by rules made under the Companies (Consolidation) Act, 1908.

50 & 51 Vict. c. 43.

(2) In the case of the winding up of a company within the meaning of the Stannaries Act, 1887, such contributions as aforesaid shall, if payable in respect of a miner, have the like priority as is conferred on wages of miners by section two hundred and forty of the Companies (Consolidation) Act, 1908, and that section shall have effect accordingly.

(3) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

Inquiries into causes of excessive sickness.

107.—(1) Where it is alleged by any approved society or insurance committee that the sickness which has taken place among any insured persons, being persons for the administration of whose sickness and disablement benefits the society is or committee are responsible, is excessive, and that the excess is due to—

(*a*) the conditions or nature of employment of those persons; or

(*b*) bad housing or insanitary conditions in any locality; or

(*c*) an insufficient or contaminated water supply; or

(*d*) neglect on the part of any person or authority to observe or enforce the provisions of any Act relating to the health of workers in factories, workshops, mines, quarries or other industries, or relating to public health or the housing of the working classes, or any regulations made under any such Act, or to observe or enforce any public health precautions,

the society or committee making the allegation may send to the person or authority alleged to be in default a claim for the payment of the amount of any extra expenditure alleged to have been incurred by reason of such cause as aforesaid, and if the society or committee and the person or authority fail to arrive at any agreement on the subject, may refer the matter, with a statement in support of the allegation, to the Minister, and if the Minister is of opinion that a primâ facie case for an inquiry is disclosed, he may appoint a competent person to hold an inquiry :

Provided that, if the excess is alleged to be due to neglect to observe or enforce the provisions of any Act for the administration of which the Secretary of State or the Board of Trade is responsible, the Minister shall refer the matter to the Secretary of State or to the Board of Trade, as the case may be, and thereupon the Secretary of State or the Board of Trade, as the case may be, may appoint a competent person to hold an inquiry.

(2) If the Minister is of opinion that the sickness which has taken place among any insured persons is excessive, and it appears to him that the excess is, or may be, due to any of the causes set out in subsection (1) of this section, he may make a claim in the same manner as a society or committee under that subsection, and on failure to arrive at any agreement with the person or authority may cause an inquiry to be held as provided in that subsection.

(3) If, upon any inquiry being held, it is proved to the satisfaction of the person holding the inquiry that the amount of sickness has, during a period of not less than three years next before the date of the inquiry, or where there has been an outbreak of any epidemic, endemic or infectious disease, during any less period, been in excess of the amount of sickness which, in the opinion of the person holding the inquiry, would have occurred if there had been no default by any person or authority as aforesaid, the amount of that extra expenditure found by the person holding the inquiry to have been, by reason of the default, incurred under this Act—

(*a*) where the claim is made by the Minister, by any societies or committees; or

(*b*) where the allegation is made by a society or committee, by the society or committee in question,

shall be ordered by the person holding the inquiry to be made good in accordance with the following provisions:—

(i) Where the excess is due to the conditions or nature of the employment or to any neglect on the part of any employer to observe or enforce any such Act or regulation as aforesaid, it shall be made good by the employer:

(ii) Where the excess is due to bad housing or insanitary conditions in the locality, or to any neglect on the part of any local authority to observe or enforce any such Act or regulation or such precautions as aforesaid, it shall be made good by such local authority as appears to the person holding the inquiry to have been in default, or if due to the insanitary condition of any particular premises, shall be made good either by the authority or by the owner, lessee or occupier of the premises who is proved to the satisfaction of the person holding the inquiry to be responsible:

(iii) Where the excess is due to an insufficient or contaminated water supply, it shall be made good by the local authority, company or person by whom the water is supplied, or who having imposed upon them the duty of affording a water supply have refused or neglected to do so, unless the local authority, company or person prove that the insufficiency or contamination was not due to any default on the part of the authority, company or person, but arose from circumstances over which they had no control.

(4) Where any such inquiry as aforesaid is held in respect of bad housing or insanitary conditions in any locality, it shall be lawful for the local authority to serve notice upon the owner, lessee or occupier of any premises which are the subject-matter of the inquiry, and where

it is proved that such a notice has been served and that any such extra expenditure as aforesaid, or any part thereof, has been caused by the act or default of the owner, lessee or occupier, the person holding the inquiry may order the owner, lessee or occupier to repay to the local authority the amount of the extra expenditure or part thereof which has been so caused.

(5) Regulations shall be made as to the procedure on inquiries under this section, and a person holding an inquiry under this section shall have all such powers as an inspector has for the purposes of an inquiry under the Public Health Acts, and shall have power to order how and by what parties costs, including such expenses as the Minister or the Secretary of State or the Board of Trade may certify to have been incurred by him or them, are to be paid, and any order so made may, by leave of the High Court, be enforced in the same manner as a judgment or order of the High Court to the same effect:

Provided that a society or committee shall not be ordered to pay the costs of the other party to the inquiry if the person holding the inquiry certifies that the demand for an inquiry was reasonable under the circumstances, and, where he so certifies, the Treasury may repay to the society or committee the whole or any part of the costs incurred by them.

(6) Without prejudice to any other method of recovery, any sum ordered under this section to be paid by a local authority may in accordance with regulations, and subject to the approval of the Treasury, be paid out of the Local Taxation Account and deducted from any sums payable either directly or indirectly out of that account to the local authority.

(7) For the purposes of this section, any expenditure on any benefit administered by an insurance committee shall be deemed to be expenditure of that committee, but any sums paid to any such committee under this section to meet extra expenditure on sickness benefit or disablement benefit shall be dealt with for the benefit of deposit contributors in accordance with regulations.

(8) Where under this section any sum is paid to the Minister, he shall apply the same in discharge of any expenses incurred by him under this section and shall distribute the balance among the societies and committees which appear to him to have incurred extra expenditure on account of the excessive sickness, in such proportions as he may think just.

(9) Where an association of deposit contributors resident in any county or county borough has been formed under regulations, the insurance committee for the county or county borough shall, if so required by the association, take proceedings under this section on behalf and at the expense of the association.

Application of Act to persons in the service of Crown.

108.—(1) This Act shall apply to persons employed by or under the Crown, other than those with respect to whom special provision is made by this Act, in like manner as if the employer were a private person:

Provided that in the case of a person employed in the private service of the Crown, the head of the department of the Royal Household in which he is employed shall be deemed to be his employer.

(2) Where a man of the Naval Reserves, the Army Reserve, the Air Force Reserve or the Territorial Army or the Auxiliary Air Force is being trained and is in receipt of pay out of the moneys provided by Parliament for Navy, Army or Air Services, he shall, for the purposes of this Act, be deemed, whilst so training, to be employed within the meaning of this Act and to be in the sole employment of the Crown:

Provided that this subsection shall not apply to a man who was not, immediately before the training commenced, an insured person, except in such cases and under such circumstances as may be specified in a special order made by the Minister.

Application of Act to aliens.

109. This Act shall, subject as may be prescribed, apply to all persons who are not British subjects in the same manner as it applies to persons who are British subjects.

Application of Act to Scilly Isles.

110.—(1) In this Act references to a county include references to the Scilly Isles, and references to the council of a county include references to the council of those Isles.

(2) The insurance committee for the Scilly Isles shall be constituted in such manner as may be prescribed.

Part VII.

Application of Act to Scotland.

(1) Scottish Board of Health, (2) Scottish National Health Insurance Fund.

111.—(1) For the purpose of carrying this Act into effect in Scotland, the Scottish Board of Health (in this Part of this Act referred to as "the Board"), and the officers, inspectors, referees and servants appointed by the Board shall, subject to the provisions of this Part of this Act, respectively have all the like powers and duties as are, by the provisions of this Act, conferred and imposed on the Minister and the officers, inspectors, referees and servants appointed by him, and references in those provisions to the Minister shall be construed as references to the Board.

(2) All sums received by way of contributions under this Act in respect of persons resident in Scotland, and all sums paid out of moneys provided by Parliament in respect of benefits conferred on such persons, and the expenses of administration of such benefits, shall be paid into a fund to be called the Scottish National Health Insurance Fund, under the control and management of the Board, and the sums required to meet expenditure properly incurred by approved societies and insurance committees for the purpose of benefits and the administration thereof shall be paid out of that fund, and the foregoing provisions of this Act with respect to the National Health Insurance Fund shall, with the necessary modifications, apply to the Scottish National Health Insurance Fund accordingly.

Scottish insurance committees.

112.—(1) The number of members of a Scottish insurance committee shall in no case be less than twenty-five or more than eighty, and, where the number of members of an insurance committee is fixed at less than forty, the constitution of the committee may be varied

as may be prescribed, so, however, that the proportion of members to be appointed by insured persons and by a county or town council and the number of members possessing a medical qualification shall not be altered.

(2) The two members of each Scottish insurance committee representing medical practitioners shall, instead of being appointed by the local committee of the county or burgh, be elected in manner provided by regulations either by any association of duly qualified medical practitioners resident in the county or burgh which may have been formed for that purpose under the regulations, or, if no such association has been formed, by such practitioners.

(3) No person, except a medical practitioner qualified as such, shall be qualified for appointment as a member of a Scottish insurance committee by a county or town council unless he is a member of a local authority within the county under the Public Health (Scotland) Act, 1897, or of the town council, as the case may be, but this requirement shall not apply to women if no women so qualified are available.

60 & 61 Vict. c. 38.

(4) Before submitting for approval a scheme prescribing areas to be assigned to district committees, the insurance committee of a county shall consult with the county council or any committee thereof appointed for the purpose, and shall consider any representation received from them.

(5) Where owing to sparseness of population, difficulties of communication or other special circumstances, they consider it desirable, a Scottish insurance committee shall have power, with the consent of the Board, to modify or suspend any benefits for the administration of which they are responsible, but where such modification or suspension takes place, provision shall be made by the committee, with the like consent, for the increase of other benefits or the grant of one or more additional benefits to an amount equivalent to the value of the modification or suspension.

(6) The provisions of this Act relating to the accounts of insurance committees and to the audit of those accounts shall in their application to Scotland have effect with the substitution of Part II. of the Fourth Schedule to this Act for Part I. of that Schedule.

113. In the application of this Act to Scotland— Expenses and powers of local authorities.

(1) Expenses incurred by a county council under this Act shall be defrayed out of the general purposes rate:

Provided that:—

(*a*) notwithstanding anything contained in the Local Government (Scotland) Act, 1889 (in this Part of this Act referred to as the Act of 1889), the ratepayers of a police burgh shall not be assessed by the county council for any such expenses unless the police burgh is, for the purposes of this Act, held to be within the county; and 52 & 53 Vict. c. 50.

(*b*) with respect to every burgh within the meaning of the Act of 1889, which is, for the purposes of this Act, held to be within the county, subsection (3) and subsection (4) of section sixty, and section sixty-six of the Act of 1889, shall so far as applicable have effect as if those expenses were expenditure therein mentioned:

(2) Expenses incurred by a town council under this Act (whether under requisition from the county council or otherwise) shall be defrayed out of the public health general assessment, but shall not be reckoned in any calculation as to the statutory limit of that assessment, and references to the borough fund or borough rate shall be construed accordingly:

(3) Expenses of a district committee defrayed out of the public health general assessment within the district in pursuance of an agreement under this Act shall not be reckoned in any calculation as to the statutory limit of that assessment.

114.—(1) All proceedings for any contravention of, or non-compliance with, any of the provisions of this Act or the regulations made thereunder, shall in Scotland be instituted and carried on under the provisions of the Legal proceedings, inquiries and disputes.

Summary Jurisdiction (Scotland) Acts, and may be taken at the instance of the procurator fiscal or of the Board.

(2) Where an employer in Scotland has failed or neglected to pay any contributions which, under this Act, he is liable to pay in respect of a person, the amount which he has so failed or neglected to pay shall be a debt due from the employer to the Board and shall be recoverable by the Board summarily as a civil debt:

Provided that the powers hereby conferred on the Board shall be deemed to be in supplement of and nowise in restriction of the powers conferred on them or on insured persons by any other provisions of this Act.

(3) It shall not be any objection to the competency of a person to give evidence as a witness in proceedings in Scotland for an offence under this Act that the proceedings are prosecuted or conducted by him.

(4) The power to make regulations for the application to inquiries held under the section of this Act relating to the administration of medical benefit of any of the provisions of the Arbitration Act, 1889, relating to the costs of arbitration, the attendance of witnesses and the production of documents, shall not extend so as to authorise regulations to be made with respect to any such inquiries held in Scotland, but regulations so made may provide that, in the case of any such inquiry held in Scotland, the Board may make such award as seems to them proper in regard to the expenses of the inquiry and the finding thereon.

(5) Where any appeal or dispute is submitted to the Board under the provisions of this Act relating to disputes, the Board or the referees appointed by them to decide the appeal or dispute, may on the application of either party, at any stage of the proceedings, and shall, if so directed by either Division of the Court of Session, state a case on any question of law arising in the appeal or dispute for the opinion of either Division of the Court of Session, and the procedure in such stated cases shall, so far as practicable, be in accordance with the regulations and practice in Scotland prevailing in stated cases under sub-paragraph (*b*) of paragraph (17) of the Second

Schedule to the Workmen's Compensation Act, 1906, provided always that the decision of the Court of Session shall be final. 6 Edw. 7. c. 58.

County benefit societies.

115. Where under any enactment repealed by this Act a scheme for the establishment under any county council of an approved society for the county (in this section referred to as a county society) has been approved before the passing of this Act, the provisions of the scheme shall have effect notwithstanding anything to the contrary in this Act, and, subject to those provisions, the county society shall be an approved society for all the purposes of this Act.

Interpretation for purposes of application of Act to Scotland.

116.—(1) For the purposes of this Act in its application to Scotland—

(*a*) "County borough" means a burgh or police burgh within the meaning of the Act of 1889, containing within the police boundaries thereof according to the census of nineteen hundred and eleven a population of twenty thousand or upwards, and includes the burgh of Dumfries and the police burgh of Maxwelltown, as if they were a single burgh, and all other burghs and police burghs shall, for the purposes of this Act, be held to be within the county, and unless already represented on the county council shall, for the purposes of this Act, be represented thereon as may be determined by the Secretary for Scotland:

Provided that references to the council of a county borough shall, in the case of Dumfries and Maxwelltown, be construed as references to a joint committee of the town councils thereof which shall from time to time be appointed subject to the provisions of section seventy-six of the Act of 1889:

(*b*) References to a county and the county council thereof shall as regards the counties of Kinross and Clackmannan, and the counties of Moray and Nairn, be construed in each case as references respectively to a combination of the two recited counties and to a joint committee of the county councils thereof which shall from time

to time be appointed subject to the provisions of section seventy-six of the Act of 1889:

(*c*) The expression "borough" and the expression "urban district" means a burgh or police burgh within the meaning of the Act of 1889, and the expression "rural district" and "council of a rural district," unless inconsistent with the context, mean respectively a district of a county within the meaning of the said Act and the district committee thereof:

(*d*) References to the Lord Chancellor and the Lord Chief Justice of England shall be construed as references to the Lord President of the Court of Session:

(*e*) "Workhouse" means poorhouse; "workhouse infirmary" means poorhouse hospital or the sick ward of any poorhouse; "coverture" means marriage; "levy any distress or execution" means use any diligence; "ejectment" means removing; "amount of judgment debt" means amount decerned for; "registrar of the county court" means court exercising jurisdiction in the proceedings; "board of guardians" means parish council; "public elementary school" means state-aided school; "Public Health Acts" means the Public Health (Scotland) Acts, 1897 and 1907; "Local Loans Act, 1875" means the Local Authorities Loans (Scotland) Acts, 1891 and 1893; "Housing Acts, 1890 to 1923" means the Housing (Scotland) Acts, 1890 to 1923; and "High Court" means Court of Session:

(*f*) References to the Board of Education shall be construed as references to the Scottish Education Department.

(2) In the application to Scotland of the section of this Act relating to excessive sickness—

(*a*) the expression "local taxation account" means the Local Taxation (Scotland) Account, and regulations respecting sums payable out of that account shall be made by the Secretary for Scotland:

(*b*) the expression "inspector" includes a person acting under section seven or section eight of the Public Health (Scotland) Act, 1897. 60 & 61 Vict. c. 38.

(3) A person appointed in terms of the section of this Act relating to excessive sickness to hold an inquiry in Scotland shall report to the authority appointing him, and any further action following on the inquiry which, in accordance with the provisions of that section, is to be or may be taken by the person making the inquiry, shall not be taken by him, but may be taken by that authority after consideration of the report, and that section shall be read and construed accordingly.

(4) In the application of paragraph (*a*) of section twenty-eight of this Act to Scotland the words "or the birth of a child" shall be added thereto.

(5) In the application of section one hundred and five of this Act to Scotland, the following subsection shall have effect in lieu of subsection (2) of that section:—

"(2) In awarding inlying expenses in Scotland in connection with the birth of an illegitimate child, the court shall not take into consideration the fact that the mother of the child is entitled to receive maternity benefit under this Act."

Part VIII.

Application of Act to Northern Ireland.

(1) Ministry of Labour, (2) Northern Ireland National Health Insurance Fund.

117.—(1) In the application of this Act to Northern Ireland the Ministry of Labour for Northern Ireland (in this Part of this Act referred to as "the Ministry") shall, subject as hereinafter in this Part of this Act provided, be substituted for the Minister.

(2) All sums received in respect of contributions under this Act in respect of persons resident in Northern Ireland, and all sums paid out of moneys provided by the Parliament of Northern Ireland in respect of benefits conferred on such persons and the expenses of administration of such benefits, shall be paid into a fund to be called "the Northern Ireland National Health Insurance Fund," under the control and management of the Ministry, and the sums required to meet expenditure

properly incurred by approved societies and insurance committees for the purposes of such benefits and of the administration thereof shall be paid out of that fund, and the foregoing provisions of this Act with respect to the National Health Insurance Fund shall, with the necessary modifications, apply to the Northern Ireland National Health Insurance Fund accordingly.

(3) The amounts to be contributed out of moneys provided by Parliament towards the benefits, including the cost of administration of benefits, of persons who are entitled to benefits out of the Navy, Army and Air Force Insurance Fund or who are members of the Seamen's National Insurance Society, or towards benefits payable to persons under the scheme prepared in pursuance of section sixty-four of this Act, shall, in the case of such of those persons as are actually resident in Northern Ireland, be paid out of moneys provided by the Parliament of Northern Ireland, and the Joint Committee shall periodically ascertain and inform the Ministry of Finance for Northern Ireland of the amounts due under this provision to the Navy, Army and Air Force Insurance Fund, the Seamen's National Insurance Society and the seamen's special fund respectively, and for the purposes of this subsection a man of the forces who was immediately before his entry or enlistment resident in Northern Ireland shall, notwithstanding any other provision of this Act, be deemed to be resident in Northern Ireland.

Exempt and excepted persons.

118.—(1) The provisions of this Act requiring regulations to be made for applying contributions paid in respect of exempt persons in providing medical benefit for those persons shall have effect in relation to persons in Northern Ireland as if for references to medical benefit there were substituted references to such benefits as may be specified in a scheme framed by the Ministry.

(2) Employment in Northern Ireland as an outworker, where the wages or other remuneration derived from the employment are not the principal means of livelihood of the person employed, shall be deemed to be included amongst the excepted employments specified in Part II. of the First Schedule to this Act.

Medical benefit.

119. An insured person in Northern Ireland shall not be entitled to medical benefit, and the provisions with respect to medical benefit shall not apply:

Provided that medical benefit for an insured person being a member of an approved society shall be deemed to be included amongst the additional benefits specified in the Third Schedule to this Act, and medical benefit when provided shall be administered by the insurance committee in accordance with the provisions of this Act, unless the Ministry otherwise direct.

Sanatorium benefit.

120.—(1) An insured person in Northern Ireland shall be entitled to the following further benefit, that is to say, to treatment in sanatoria or other institutions or otherwise when suffering from tuberculosis or such other diseases as the Ministry of Home Affairs for Northern Ireland, with the approval of the Ministry of Finance for Northern Ireland, may appoint (in this Act called " sanatorium benefit ").

(2) For the purpose of administering sanatorium benefit, insurance committees shall make arrangements, to the satisfaction of the Ministry—

(*a*) with a view to providing treatment for insured persons suffering from tuberculosis or any other such disease as aforesaid in sanatoria and other institutions, with persons or local authorities (other than poor law authorities) having the management of sanatoria or other institutions approved by the Ministry of Home Affairs for Northern Ireland, which treatment it shall be lawful for a local authority to provide as respects insured persons resident outside, as well as respects those resident within, their area; and

(*b*) with a view to providing treatment for such persons otherwise than in sanatoria or other institutions, with persons and local authorities (other than poor law authorities) undertaking such treatment in a manner approved by the Ministry of Home Affairs for Northern Ireland, and it shall be lawful for a local authority, if so authorised by the Ministry of Home Affairs for Northern Ireland, to undertake such treatment (including the appointment of officers for the purpose).

(3) The sums available for defraying the expenses of sanatorium benefit in each year shall be one shilling

and threepence in respect of each insured person resident in the county or county borough payable out of the funds out of which benefits are payable under this Act.

(4) An insured person shall not be entitled to sanatorium benefit unless the insurance committee recommends the case for such benefit.

(5) An insurance committee may, out of the sums available for defraying the expenses of sanatorium treatment, defray in whole or in part the expenses of the conveyance of an insured person to or from any sanatorium or institution to which he may be sent for treatment therein, or may make advances for the purpose.

(6) The insurance committee for any county or county borough may, if they think fit, extend sanatorium benefit to the dependants of the insured persons resident in the county or any part of the county, or in the county borough, or any class of such dependants, and in such case the arrangements to be made by the committee shall include arrangements for the treatment of such dependants, and the sums available for sanatorium benefit shall be applicable for the purpose.

(7) If in any year the amount available for defraying the expenses of sanatorium benefit is insufficient to meet the estimated expenditure on sanatorium benefit for insured persons and such dependants, the insurance committee may, through the Ministry, transmit to the Ministry of Finance for Northern Ireland and to the council of the county or county borough an account showing the estimated expenditure for the purpose and the amount of the sums available for defraying the expenses of sanatorium benefit, and the Ministry of Finance for Northern Ireland and the council may, if they think fit, sanction such expenditure.

(8) The Ministry of Finance for Northern Ireland and the council of the county or county borough sanctioning such expenditure as aforesaid shall thereupon each be liable to make good, in the case of the Ministry of Finance for Northern Ireland out of moneys provided by the Parliament of Northern Ireland, and, in the case of the council of the county or county borough, out of the county fund or borough fund or borough

rate, as the case may be, one-half of any sums so sanctioned by them and expended by the insurance committee on sanatorium benefit for insured persons and their dependants in the course of the year in excess of the amount available for defraying the expenses of the committee on sanatorium benefit.

(9) For the purposes of the administration of sanatorium benefit in Northern Ireland, the sections of this Act specified in the first column of the Sixth Schedule to this Act shall have effect as if they were respectively amended in the manner indicated in the second column of that Schedule.

(10) An insurance committee may, with the consent of the Ministry, enter into agreements with any person or authority (other than a poor law authority) that, in consideration of the person or authority providing treatment in a sanatorium or other institution or otherwise for persons recommended by the committee for sanatorium benefit, the committee will contribute, out of the funds available for sanatorium benefit, towards the maintenance of the institution or provision of the treatment, such annual or other payment and subject to such conditions and for such period as may be agreed, and any such agreement shall be binding on the committee and their successors, and any sums payable by the committee thereunder may be paid by the Ministry and deducted from the sums payable to the committee for the purposes of sanatorium benefit.

(11) The Ministry of Home Affairs for Northern Ireland (in this subsection referred to as "the said Ministry") may, for the purposes of their powers and duties under this section, hold such local inquiries and investigations as they may think fit, and the said Ministry and their inspectors shall have for the purposes of such an inquiry the same powers as they respectively have for the purposes of an inquiry under the Public Health (Ireland) Acts, 1878 to 1918, and the expenses incurred by the said Ministry in respect of such inquiries and other proceedings under this section (including the salary of any inspector or officer of the said Ministry engaged in the inquiry or proceedings, not exceeding five guineas a day) shall be paid by such authorities and persons and out of such funds and rates as the said

Ministry may by order direct, and the said Ministry may certify the amount of the expenses so incurred, and any sum so certified and directed by the said Ministry to be paid by the authority or person shall be a debt from that authority or person to the Crown:

Provided that this provision shall not apply to inquiries with respect to responsibility for excessive sickness.

Any approval given by the said Ministry under this section may be given for such term and subject to such conditions as the said Ministry may think fit, and the said Ministry shall have power to withdraw any approval which they have given.

The said Ministry may make it a condition of any approval to be given, or grant of money to be made under this section, that the said Ministry shall have such powers of inspection as may be agreed.

Rates of contributions.

121.—(1) In the application to Northern Ireland of the section of this Act relating to contributions in respect of exempt persons "fourpence" shall be substituted for "fivepence."

(2) There shall be credited to the society of which any insured person in Northern Ireland is a member, or if he is a deposit contributor, to his account in the Deposit Contributors Fund, the difference between the amount of contributions actually paid by or in respect of him at the rate specified in Part II. of the Second Schedule to this Act, and the amount which would have been paid if those contributions had been at the rate specified in Part I. of that Schedule, and the amount of that difference shall be treated as having been expended on benefits and the proper proportion thereof shall accordingly be paid out of moneys provided by the Parliament of Northern Ireland.

Reserve and transfer values.

122. For the purposes of facilitating adjustments in respect of persons removing from Northern Ireland to Great Britain or from Great Britain to Northern Ireland, the transfer and reserve values of persons resident in Northern Ireland shall be calculated as if they were resident in Great Britain, and, where any

member of an approved society is at the time of attaining the age of seventy resident in Northern Ireland, the prescribed part of his transfer value shall be carried by the society of which he is a member to a separate account and dealt with in such manner as may be prescribed.

Irish insurance committees.

123.—(1) The provisions of this Act with respect to the appointment of insurance committees shall in their application to Northern Ireland have effect subject to the following modifications, namely :—

The number of members of an insurance committee shall be twenty-four, and of that number—

(*a*) twelve shall be appointed in such manner as may be prescribed by regulations of the Ministry so as to secure representation of the insured persons resident in the county or county borough who are members of approved societies and who are deposit contributors in proportion, as nearly as may be, to their respective numbers, and the regulations so made shall provide for conferring on the approved societies which have members resident in the county or county borough the power of appointing representatives of those members, and where an association of deposit contributors resident in the county or county borough has been formed under those regulations, for conferring on the association the power of appointing the representatives of the deposit contributors;

(*b*) eight (of whom at least one shall be a member of a local sanitary authority and at least two shall be women) shall be appointed by the council of the county or county borough; and

(*c*) four (of whom at least two shall be duly qualified medical practitioners) shall be appointed by the Ministry :

Provided that the Ministry may, where any part of the cost of sanatorium benefit is defrayed by the council of the county or county borough, increase the representation of the council and make a corresponding diminution in the representation of the insured persons.

(2) There shall be paid in each year to insurance committees in Northern Ireland out of the funds out

of which benefits are payable under this Act on account of the administration expenses of those committees such sum not exceeding fourpence as may be prescribed in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to sanatorium benefit as being or having been members of an approved society.

(3) In the application to Northern Ireland of subsection (2) of the section of this Act relating to the travelling expenses, &c., of members of insurance committees, the provisions with respect to payments out of moneys provided by Parliament towards certain expenses of an insurance committee shall not apply.

Legal proceedings and disputes. 52 & 53 Vict. c. 60.

124.—(1) There shall be included among the debts which under section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, and section two hundred and nine of the Companies (Consolidation) Act, 1908, are in the distribution of the property of a bankrupt or an arranging debtor and in the distribution of the assets of a company being wound up, to be paid in priority to all other debts, all contributions payable under this Act by the bankrupt or arranging debtor or the company in respect of employed contributors during the four months before the date of order of adjudication, or of the petition of arrangement or, as the case may be, the commencement of the winding up or winding-up order, and those Acts shall have effect accordingly, and formal proof of the debts to which priority is given under this section shall not be required except in cases where it may otherwise be provided by general orders made under the Preferential Payments in Bankruptcy (Ireland) Act, 1889, or rules made under the Companies (Consolidation) Act, 1908.

(2) For the purposes of proceedings in Northern Ireland under the provisions of this Act relating to disputes, regulations of the Ministry may apply all or any of the provisions of the Common Law Procedure Amendment (Ireland) Act, 1856, with respect to arbitration.

19 & 20 Vict. c. 102.

(3) Nothing in the provisions of Part VI. of this Act with respect to offences and legal proceedings shall be construed as preventing the Ministry from recovering

by means of civil proceedings any contributions which an employer has failed or neglected to pay in respect of a person, and all such contributions may, without prejudice to any other remedy, be recovered by the Ministry summarily as a civil debt.

County benefit societies

125. Where under any enactment repealed by this Act a scheme for the establishment under any county council of an approved society for the county (in this section referred to as a county society) has been approved, the provisions of the scheme shall have effect notwithstanding anything to the contrary in this Act, and, subject to those provisions, the county society shall be an approved society for all the purposes of this Act.

Inquiries into causes of excessive sickness, &c.

126. In the application of this Act to Northern Ireland the following provisions shall have effect in lieu of the section relating to inquiries into causes of excessive sickness :—

(1) Where it is alleged by the Ministry or by any approved society or insurance committee that the sickness which has taken place among any insured persons, being, in the case where the allegation is made by a society or committee, persons for the administration of whose sickness and disablement benefits the society is or committee are responsible, is excessive, and that such excess is due to the conditions or nature of employment of those persons, or to bad housing or insanitary conditions in any locality, or to an insufficient or contaminated water supply, or to the neglect on the part of any person or authority to observe or enforce the provisions of any Act relating to the health of workers in factories, workshops, mines, quarries or other industries, or relating to public health or the housing of the working classes, or any regulations made under any such Act, or to observe or enforce any public health precautions, the Ministry or the society or committee making the allegation may send to the person or authority alleged to be in default a claim for the payment of the amount of any extra expenditure alleged to have been incurred by reason of such cause as aforesaid,

and, if the Ministry, society or committee and the person or authority fail to arrive at any agreement on the subject, then, where the claim has been sent by the Ministry, the Ministry may apply to the Ministry of Home Affairs for Northern Ireland for the holding of an inquiry, and in any other case the society or committee may refer the matter, with a statement in support of the allegation to the Ministry, and if the Ministry is of opinion that a primâ facie case for an inquiry is disclosed, the Ministry of Home Affairs for Northern Ireland may appoint a competent person to hold an inquiry.

(2) If, upon any inquiry being held, it is proved to the satisfaction of the person holding the inquiry that the amount of sickness has during a period of not less than three years next before the date of the inquiry, or if there has been an outbreak of any epidemic, endemic or infectious disease, during any less period, been in excess of the amount of sickness which, in the opinion of the person holding the inquiry, would have occurred if there had been no default by any person or authority as aforesaid, the amount of that extra expenditure found by the person holding the inquiry to have been incurred under this Act by any societies or committees where the allegation is made by the Ministry, or, if the allegation is made by a society or committee, by the society or committee in question, by reason of such cause shall be ordered by him to be made good in accordance with the following provisions:—

(*a*) Where the excess is due to the conditions or nature of the employment or to any neglect on the part of any employer to observe or enforce any such Act or regulation as aforesaid, it shall be made good by the employer:

(*b*) Where the excess is due to bad housing or insanitary conditions in the locality, or to any neglect on the part of any local authority to observe or enforce any such Act or regula-

tion or such precautions as aforesaid, it shall be made good by such local authority as appears to the person holding the inquiry to have been in default, or, if due to the insanitary condition of any particular premises, shall be made good either by the authority or by the owner, lessee or occupier of the premises who is proved to the satisfaction of the person holding the inquiry to be responsible:

(*c*) Where the excess is due to an insufficient or contaminated water supply, it shall be made good by the local authority, company or person by whom the water is supplied, or who having imposed upon them the duty of affording a water supply have refused or neglected to do so, unless the local authority, company or person prove that the insufficiency or contamination was not due to any default on the part of the authority, company or person, but arose from circumstances over which they had no control.

(3) Where any such inquiry as aforesaid is held in respect of bad housing or insanitary conditions in any locality, it shall be lawful for the local authority to serve notice upon the owner, lessee or occupier of any premises which are the subject-matter of the inquiry, and, where it is proved that such a notice has been served and that any such extra expenditure as aforesaid, or any part thereof, has been caused by the act or default of such owner, lessee or occupier, the person holding the inquiry may order the owner, lessee or occupier to repay to the local authority the amount of the extra expenditure or part thereof which has been so caused.

(4) Regulations shall be made as to the procedure on inquiries under this section and a person holding an inquiry under this section shall have all such powers as an inspector of the Ministry of Home Affairs for Northern Ireland has for the purposes of an inquiry

under the Public Health (Ireland) Acts, 1878 to 1918, and shall have power to order how and by what parties costs, including such expenses as the Ministry or the Ministry of Home Affairs for Northern Ireland may certify to have been incurred by them, are to be paid, and an order made by such person under this section may, by leave of the High Court, be enforced in the same manner as a judgment or order of the High Court to the same effect:

Provided that a society or committee shall not be ordered to pay the costs of the other party to the inquiry if the person holding the inquiry certifies that the demand for an inquiry was reasonable under the circumstances, and, where he so certifies, the Ministry of Finance for Northern Ireland may repay to the society or committee the whole or any part of the costs incurred by them.

(5) Without prejudice to any other method of recovery, any sum ordered under this section to be paid by a local authority may, in accordance with regulations made by the Ministry of Home Affairs for Northern Ireland with the approval of the Ministry of Finance for Northern Ireland, be paid by means of deduction from any sums payable either directly or indirectly to the local authority under section ten of the Local Government Act (Northern Ireland), 1923.

(6) For the purposes of this section, any expenditure on any benefit administered by an insurance committee shall be deemed to be expenditure of that committee, but any sums paid to any such committee under this section to meet extra expenditure on sickness benefit or disablement benefit shall be dealt with for the benefit of deposit contributors in accordance with regulations.

(7) Where under this section any sum is paid to the Ministry, the Ministry shall apply the same in discharge of any expenses incurred by the Ministry under this section, and shall distribute the balance among the societies and committees which appear to the Ministry to have

incurred extra expense on account of the excessive sickness in such proportions as the Ministry think just.

(8) Where an association of deposit contributors resident in any county or county borough has been formed under regulations, the insurance committee for the county or county borough shall, if so required by the association, take proceedings under this section on behalf and at the expense of the association.

Medical certificates.

127.—(1) Rules of an approved society or insurance committee under this Act may provide for—

(*a*) the inspection of medical relief registers by officers of the society or committee at all reasonable times; and

(*b*) the furnishing to the society or committee of such medical certificates as may be necessary for the purposes of the administration of benefits administered by the society or committee; and

(*c*) the payment by the society or committee to duly qualified medical practitioners of such remuneration in respect of the furnishing of those certificates, as the Ministry may sanction.

(2) All payments so made by the society or committee shall be treated as expenses of administering the benefits aforesaid.

Saving for powers of Parliament of Northern Ireland. 10 & 11 Geo. 5. c. 67.

128. For the purpose of section six of the Government of Ireland Act, 1920, this Act shall be deemed to be an Act passed before the appointed day.

Interpretation for purposes of application of Act to Northern Ireland.

129. This Act in its application to Northern Ireland shall, subject to the provisions of this Act, have effect subject to the following modifications:—

(1) References to the Lord Chancellor and references to the Lord Chief Justice of England shall be construed as references to the Lord Chief Justice of Northern Ireland:

(2) References to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland:

(3) References to Parliament shall, if they occur in relation to matters in respect of which the Parliament of Northern Ireland has power to make laws, be construed as references to that Parliament, and references to any department or authority of the Government of the United Kingdom shall be construed as references to the department or authority exercising corresponding functions in Northern Ireland:

(4) A reference to the Housing of the Working Classes (Ireland) Acts, 1890 to 1921, shall be substituted for the reference to the Housing Acts, 1890 to 1923, a reference to the Public Health (Ireland) Acts, 1878 to 1918, shall be substituted for the reference to the Public Health Acts, and a reference to the rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1918, shall be substituted for any reference to the borough rate or borough fund:

(5) For the reference to the registrar of the county court, there shall be substituted a reference to a magistrate appointed under the Constabulary (Ireland) Act, 1836:

6 & 7 Will. 4. c. 13.

(6) In subsection (1) of the section of this Act relating to the powers and duties of insurance committees, for the words "as the Minister may prescribe" there shall be substituted the words "as the Ministry after consultation with "the Ministry of Home Affairs for Northern "Ireland may prescribe":

(7) In subsection (1) of the section of this Act relating to married women, the words "for "an aggregate of not more than eight weeks "in the period between the date of unemploy-"ment and the date of the completion of the "second year of marriage" shall be substituted for the words "for an aggregate of not more "than six weeks in the period of twelve "months commencing next after the date of "unemployment":

(8) The section of this Act which makes provision as to the exercise of the judicial powers of the Minister shall not apply:

(9) Where under this Act the approval or consent of the Treasury is required to any regulations, orders or schemes made or to be made by the Joint Committee, the approval or consent of the Ministry of Finance for Northern Ireland to the regulations, orders or schemes shall also be required in so far as the regulations, orders or schemes apply to Northern Ireland, and any provision of this Act requiring regulations or orders made by the Joint Committee to be laid before Parliament shall be construed as requiring any such regulations or orders which apply to Northern Ireland to be laid also before the Parliament of Northern Ireland, and shall have effect accordingly:

Provided that no action taken under any such provision of this Act in Northern Ireland with respect to any such orders or regulations shall affect the operation thereof in the rest of the United Kingdom, and no action taken under any such provision in the United Kingdom, exclusive of Northern Ireland, with respect to any such orders or regulations shall affect the operation thereof in Northern Ireland:

(10) The powers and duties of the Commissioners of Inland Revenue with reference to the granting of allowances for or the repurchase of stamps issued for the purposes of this Act shall, so far as relates to stamps issued for the purposes of this Act as applying to Northern Ireland, be exercised and performed by the Ministry:

(11) For subsection (2) of the section of this Act which gives power to make regulations with respect to the payment of contributions and makes provision as to stamps, there shall be substituted the following:—

"Stamps required for the purposes of this Act shall be prepared and issued in such

manner as the Ministry, with the consent of the Ministry of Finance for Northern Ireland, may direct, and the Ministry may make regulations applying, with the necessary adaptations as respects any such stamps, all or any of the provisions, including penal provisions, of the Stamp Duties Management Act, 1891, as amended by or in pursuance of any subsequent enactment, and section sixty-five of the Post Office Act, 1908:

54 & 55 Vict. c. 38.

8 Edw. 7. c. 48.

Provided that nothing in the foregoing provision shall prejudice the making of any arrangement under section sixty-three of the Government of Ireland Act, 1920, for the exercise and performance by the Postmaster-General and his officers on behalf of the Ministry of the powers and duties of the Ministry under the foregoing provision":

(12) The matters to be prescribed under subsection (1) of the section of this Act relating to birth, death and marriage certificates shall be prescribed by the Ministry of Finance for Northern Ireland:

(13) References to the National Debt Commissioners shall be construed as references to the Ministry of Finance for Northern Ireland, but nothing in this provision shall prejudice the power of the Ministry of Finance for Northern Ireland to make arrangements under section sixty-three of the Government of Ireland Act, 1920, with the National Debt Commissioners for the exercise by the Commissioners on behalf of the Ministry of Finance for Northern Ireland of such powers of that Ministry under this Act as are exercisable by the Commissioners outside Northern Ireland:

(14) In the application of Part II. of the First Schedule to this Act to Northern Ireland, the expressions "Board of Education" and "Public Elementary School" shall respectively be construed as references to the Ministry of Education

for Northern Ireland and to that class of Public Elementary School formerly conducted under the Commissioners of National Education for Ireland and known as "National Schools."

Part IX.

Application of Act to Wales.

Application of Act to Wales.

130. Subject to the provisions of this Act all sums received by way of contributions under this Act in respect of persons resident in Wales, and all sums paid out of moneys provided by Parliament in respect of benefits for persons so resident, and the expenses of the administration of those benefits shall be paid into a fund to be called "the Welsh National Health Insurance Fund," under the control and management of the Minister, and the provisions of this Act with respect to the National Health Insurance Fund, shall, with the necessary modifications, apply to the Welsh National Health Insurance Fund.

Saving for Welsh Board of Health. 9 & 10 Geo. 5. c. 21.

131. Nothing in this Act shall affect the power of the Minister under section five of the Ministry of Health Act, 1919, to exercise and perform any of his powers and duties in Wales through the Welsh Board of Health.

Part X.

Interpretation, Savings and Repeal.

Interpretation.

132.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"Branch" in relation to a society, shall not include any branch of the society which is not itself separately registered:

Provided that the Minister may, if he thinks fit so to do and subject to such conditions as he may prescribe, recognise for the purposes of this Act any branch of an approved society though the branch is not separately registered as a branch of the society:

"Contribution week" means the period of seven days commencing from the midnight between Sunday and Monday:

"County" means administrative county:

"Dependants" in relation to any person, includes such persons as the approved society or insurance committee shall ascertain to be wholly or in part dependent upon his earnings:

"Disease or disablement" means such disease or disablement as would entitle an insured person to sickness or disablement benefit:

"National area" means England, Scotland, Northern Ireland or Wales:

"Prescribed" means prescribed by regulations:

"Regulations" means regulations made by the Minister under this Act:

"Special order" means an order made by the Minister in accordance with the provisions of this Act relating to special orders:

"The Minister" means the Minister of Health:

"Valuer" means a person possessing such actuarial qualifications as may be approved by the Treasury:

"Membership of an approved society" means membership for the purposes of this Act.

(2) In the provisions of this Act relating to the mercantile marine, unless the context otherwfse requires—

(*a*) Expressions have the same meaning as in the Merchant Shipping Acts, 1894 to 1923, except that the expressions "foreign-going ship" and "home-trade ship" include a ship engaged in the sea fishing service, and the expression "foreign-going ship" includes a ship engaged in regular trade on foreign stations:

(*b*) The expression "ship engaged in regular trade on foreign stations" means a ship engaged regularly in trade between ports outside the British Islands exclusive of the Irish Free State when trading between such ports, but for the purposes of this provision a ship shall not be deemed not to be engaged in such a trade by reason only that she has put into a port in the United Kingdom for the purpose of survey or repair:

(*c*) The expression "sea service" includes the sea fishing service:

(*d*) The expression "seaman" includes an apprentice to the sea service.

(3) For the purposes of this Act—

(*a*) Monmouthshire shall be deemed to form part of Wales:

(*b*) A person shall be deemed according to the law in England, Wales and Northern Ireland, as well as according to the law in Scotland, not to have attained the age of seventeen until the commencement of the seventeenth anniversary of the day of his birth, and similarly with respect to other ages.

133. The enactments set out in the Seventh Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule: Repeal.

Provided that, without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889— 52 & 53 Vict. c. 63.

(*a*) Nothing in this repeal shall affect any order, rule, regulation or scheme made, certificate issued, notice, decision, direction or approval given, or thing done, under any enactment repealed by this Act, and every such order, rule, regulation, scheme, certificate, notice, decision, direction or approval shall continue in force, and, shall, so far as it could have been made, issued or given under this Act, have effect as if made, issued or given under the corresponding enactment of this Act, and any certificate of exemption granted under the National Health Insurance Act, 1919, may be renewed as if that Act had not been repealed: 9 & 10 Geo. 5. c. 36.

(*b*) Any document referring to any enactment repealed by this Act shall be construed as referring to the corresponding enactment of this Act:

(*c*) Any person appointed to any office under or by virtue of any enactment repealed by this Act shall be deemed to have been appointed to that office under or by virtue of this Act:

(*d*) All funds and accounts constituted under this Act shall be deemed to be in continuation of the corresponding funds and accounts constituted under the enactments repealed by this Act:

(*e*) References in this Act to persons insured thereunder whether as employed contributors or as voluntary contributors shall, so far as necessary for the purpose of preserving any accruing right, be construed as including references to persons so insured under the enactments repealed by this Act, and any contributions paid in respect of any persons under the enactments repealed by this Act shall for the purposes of this Act be treated as if they had been paid under the corresponding enactments of this Act:

(*f*) Any body of persons having immediately before the commencement of this Act power to transact business relating to national health insurance shall continue to have the same power in that behalf which it would have had if this Act had not passed.

Short title and commencement.

134.—(1) This Act may be cited as the National Health Insurance Act, 1924.

(2) This Act shall come into operation on the first day of January nineteen hundred and twenty-five.

SCHEDULES.

Sections 1 and 118.

FIRST SCHEDULE.

PART I.

EMPLOYMENTS WITHIN THE MEANING OF THE ACT.

(*a*) Employment in the United Kingdom under any contract of service or apprenticeship, written or oral, whether expressed or implied, and whether the employed person is paid by the employer

or some other person, and whether under one or more employers, and whether paid by time or by the piece or partly by time and partly by the piece, or otherwise, or, except in the case of a contract of apprenticeship, without any money payment.

(*b*) Employment under such a contract as aforesaid as master or a member of the crew of any ship registered in the United Kingdom or of any other British ship or vessel of which the owner, or, if there is more than one owner, the managing owner or manager, resides or has his principal place of business in the United Kingdom.

(*c*) Employment in the United Kingdom as an outworker, except in so far as such employment is excluded by special order.

The expression "outworker" means a person to whom articles or materials are given out by another person to be made up, cleaned, washed, altered, ornamented, finished, repaired or adapted for sale for the purposes of the trade or business of that other person where the process is to be carried out either in the home of the outworker or in some other premises not being premises under the control and management of that other person.

A special order under this provision may exclude outworkers engaged in work of any class, or outworkers of any class or description specified in the order.

The person who gives out the articles or materials shall, in relation to the person to whom they are given out, be deemed to be the employer of that person for the purposes of this Act, but a special order may provide that as respects any outworkers or any class of outworkers specified in the order a person specified in the order shall, instead of the person who gives out the articles or materials, be deemed to be the employer.

(*d*) Employment in the United Kingdom under any local or other public authority except in so far as such employment is excluded by a special order.

(*e*) Employment in the United Kingdom in plying for hire with any vehicle or vessel the use of which is obtained from the owner thereof under any contract of bailment (or in Scotland any contract of letting to hire) in consideration of the payment of a fixed sum or a share in the earnings or otherwise, and the owner shall be deemed to be the employer for the purposes of this Act.

Part II.

Exceptions.

(*a*) Employment in the naval, military or air service of the Crown, including service in Officers' Training Corps, except as otherwise provided in this Act.

(*b*) Employment under the Crown or any local or other public authority where the Minister certifies that the terms of the employment are such as to secure provision in respect of sickness and disablement on the whole not less favourable than the corresponding benefits conferred by this Act.

(*c*) Employment as a clerk or other salaried official in the service of a railway or other statutory company, or of a joint committee of two or more such companies, where the Minister certifies that the terms of employment, including the rights of the person employed in such superannuation fund as is hereinafter mentioned, are such as to secure provision in respect of sickness and disablement on the whole not less favourable than the corresponding benefits conferred by this Act, and the person employed is entitled to rights in a superannuation fund established by Act of Parliament for the benefit of persons in such employment, or in Northern Ireland is entitled to rights in any such superannuation fund or in any railway superannuation fund which may be approved by the Ministry of Labour for Northern Ireland.

(*d*) Employment in England or Wales as a teacher in recognised service within the meaning of the School Teachers (Superannuation) Acts, 1918 and 1922, or as a teacher in recorded service within the meaning of the Elementary School Teachers (Superannuation) Act, 1898, or as a pupil or student teacher in a public elementary school.

61 & 62 Vict. c. 57.

(*e*) Employment in Scotland as a teacher to whom a scheme under the Education (Scotland) (Superannuation) Act, 1919, applies, or employment in a state-aided school in Scotland as a student provisionally recognised for temporary service as an uncertificated teacher pending completion of training.

9 & 10 Geo. 5. c. 17.

(*f*) Employment in Northern Ireland as a teacher to whom the National School Teachers (Ireland) Act, 1879, applies, or as a pupil or student teacher or monitor in a public elementary school.

42 & 43 Vict. c. 74.

(*g*) Employment as a teacher in a public elementary school at any time after the person employed has undergone an examination in order to qualify for the position of a certificated teacher in such a school and before the announcement of the result of the examination.

(*h*) Employment as a teacher of any class which may be specified in a special order made after consultation with the Board of Education as being a class in the case of which the conditions of employment are similar to the conditions of employment prevailing in the case of teachers falling within the foregoing exceptions relating to teachers.

(*i*) Employment as an agent paid by commission or fees or a share in the profits, or partly in one and partly in another of such ways, where the person so employed is mainly dependent for his livelihood on his earnings from some other occupation, or where he is ordinarily employed as such agent by more than one employer, and his employment under no one of such employers is that on which he is mainly dependent for his livelihood.

(*j*) Employment in respect of which no wages or other money payment is made where the employer is the occupier of an agricultural holding and the employed person is employed thereon, or where the person employed is the child of or is maintained by, the employer.

(*k*) Employment otherwise than by way of manual labour and at a rate of remuneration exceeding in value two hundred and fifty pounds a year, or in cases where such employment involves part-time service only at a rate of remuneration which in the opinion of the Minister is equivalent to a rate of remuneration exceeding two hundred and fifty pounds a year for whole time service.

(*l*) Employment of a casual nature otherwise than for the purposes of the employer's trade or business, and otherwise than for the purposes of any game or recreation where the persons employed are engaged or paid through a club, and in such case the club shall be deemed to be the employer.

(*m*) Employment of any class which may be specified in a special order as being of such a nature that it is ordinarily adopted as subsidiary employment only and not as the principal means of livelihood.

(*n*) Employment as an outworker where the person so employed is the wife of an insured person and is not wholly or mainly dependent for her livelihood on her earnings in such employment.

(*o*) Employment as a member of the crew of a fishing vessel where the members of the crew are remunerated by shares in the profits or the gross earnings of the working of the vessel in accordance with any custom or practice prevailing at any port, if a special order is made for the purpose, and the particular custom or practice prevailing at the port is one to which the order applies.

(*p*) Employment in the service of the husband or wife of the employed person.

Sections 5, 121, and 129.

SECOND SCHEDULE.

RATES OF CONTRIBUTIONS IN RESPECT OF EMPLOYED CONTRIBUTORS.

PART I.

GREAT BRITAIN.

In the case of men	10*d.* a week.
In the case of women	9*d.* a week.

Contributions by Employers and Employed Contributors. In Ordinary Cases.

To be paid by the employer		5*d.* a week.
To be paid by the contributor	men	5*d.* a week.
	women	4*d.* a week.

In case of Low-Wage Earners.

In the case of employed contributors of either sex, of the age of eighteen or upwards, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4*s.* a working day, the following shall be the rates of contribution :—

(1) Where the rate of remuneration does not exceed 3*s.* a working day—

To be paid by the employer	for men	10*d.* a week.
	for women	9*d.* a week.

(2) Where the rate of remuneration exceeds 3*s.* but does not exceed 4*s.* a working day—

To be paid by the employer		6*d.* a week.
To be paid by the contributor	men	4*d.* a week.
	women	3*d.* a week.

PART II.

NORTHERN IRELAND.

In the case of men	8*d.* a week.
In the case of women	7*d.* a week.

Contributions by Employers and Employed Contributors.

In ordinary cases.

To be paid by the employer		4*d.* a week.
To be paid by the contributor	men	4*d.* a week.
	women	3*d.* a week.

In case of Low-Wage Earners.

In the case of employed contributors of either sex, of the age of eighteen or upwards, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4*s.* a working day, the following shall be the rates of contribution:—

(1) Where the rate of remuneration does not exceed 3*s.* a working day—

To be paid by the employer	for men	8*d.* a week.
	for women	7*d.* a week.

(2) Where the rate of remuneration exceeds 3*s.* but does not exceed 4*s.* a working day—

To be paid by the employer		5*d.* a week.
To be paid by the contributor	men	3*d.* a week.
	women	2*d.* a week.

Part III.

Power to apply Provisions as to Low-Wage Earners to Special Cases.

Where it appears to the Minister that the persons employed by any employer or group of employers in any class or classes of work are in general in receipt of a rate of remuneration which, although liable to fluctuation, is normally within either of the limits of remuneration referred to in Part I. or Part II., as the case may be, of this Schedule, the Minister may by special order declare that all the persons employed by that employer or group of employers in that class or those classes of work shall, for the purposes of this Act, but subject to any exceptions contained in the order, be treated as if they were constantly in receipt of the normal rate of remuneration, notwithstanding that those persons or any of them may in any week in fact receive a higher or lower rate of remuneration.

Sections 13, 75 and 119.

THIRD SCHEDULE.

ADDITIONAL BENEFITS.

1. Medical treatment and attendance for any person dependent upon the labour of a member.

2. The payment of the whole or any part of the cost of dental treatment.

3. An increase of sickness benefit and disablement benefit in the case either of all members of the society or of such of them as have any children or any specified number of children wholly or in part dependent upon them.

4. The payment of sickness benefit from the first, second or third day of incapacity.

5. The payment of a disablement allowance to members though not totally incapable of work.

6. An increase of maternity benefit.

7. Allowances to a member during convalescence from some disease or disablement in respect of which sickness benefit or disablement benefit has been payable.

8. The provision of premises suitable for convalescent homes and the maintenance of such homes.

8 Edw. 7. c. 40.

9. The payment of pensions or superannuation allowances whether by way of addition to old age pensions under the Old Age Pensions Act, 1908, as amended by any subsequent enactment, or otherwise.

10. The payment, subject to the prescribed conditions, of contributions to superannuation funds in which the members are interested.

11. Payments to members who are in want or distress, including the remission of arrears whenever the arrears may have become due.

12. Payments to members not allowed to attend work on account of infection.

13. Repayment of the whole or any part of contributions payable under this Act by members of the society or any class thereof.

14. Such other additional benefits, being of the same character as any of those hereinbefore mentioned, as may be prescribed.

FOURTH SCHEDULE.

Sections 82 and 112.

Accounts of Insurance Committees.

Part I.

England and Wales and Northern Ireland.

1. If it appears to any auditor to whom the accounts of an insurance committee (including the accounts of any officer or servant of the committee) have been submitted under this Act, that any item of account is contrary to law, or that any money or income which ought to have been brought into account has not been so brought into account, the auditor shall disallow the item of account and shall surcharge the amount of any unlawful payment or expenditure, or of any loss or deficiency, upon any member, officer or servant of the committee or other person by whose negligence or misconduct that payment or expenditure has been made or authorised or that loss or deficiency has been incurred:

Provided that no item of account sanctioned by the Minister shall be disallowed or surcharged by the auditor.

2. Any insurance committee or person aggrieved by any disallowance or surcharge may, within thirty days after the date of the auditor's certificate, appeal to the Minister, whose decision shall be final, and the procedure on appeal shall be such as may be prescribed:

Provided that the Minister may at any stage of the proceedings on appeal, and shall, if so directed by the High Court, state in the form of a special case for the opinion of the court any question of law arising in the course of the appeal.

3. The Minister, in considering whether any item of account should be sanctioned, or in determining any appeal under this Schedule, may, if he is of opinion that any disallowance or surcharge has been or would be lawfully made, but that in the circumstances of the case it is equitable that the disallowance or surcharge should not be made, sanction the item of account and remit the disallowance or surcharge:

Provided that where the item of account or expenditure relates in whole or in part to moneys for the application of which provision is made by scheme, vote or regulation, the Minister shall have regard to the terms of that scheme, vote or regulation.

4. In any case in which an appeal has been made to the Minister the auditor may re-open the audit for the purpose of giving effect to the decision of the Minister.

5. Any sum surcharged by the auditor or any balance certified by him to be due, shall be paid to the Minister by the person who is surcharged or from whom the balance is certified to be due within thirty days after the date of the auditor's certificate, or, if an appeal is lodged and the amount surcharged or certified to be due is not remitted, within thirty days after the date of the decision of the Minister, and if not paid within the time aforesaid may be recovered by the Minister summarily as a civil debt; and the costs of any proceedings for the recovery of any such sum so far as not recovered from the person surcharged shall be charged to the insurance committee.

On any proceedings for the recovery of such a sum a certificate purporting to be signed by an auditor appointed under this Act shall be conclusive evidence of the facts certified.

6. Any person who knowingly recharges to the funds of an insurance committee any sum which has been disallowed by the auditor and has not been allowed by the Minister on appeal, shall be liable on summary conviction to a fine not exceeding three times the amount of the sum so recharged.

PART II.

SCOTLAND.

1. If it appears to any auditor to whom the accounts of any insurance committee in Scotland (including the accounts of any officer or servant of the committee) have been submitted under this Act that any item of account is contrary to law, or that any money or income which ought to have been, is not brought into account, the auditor shall by an interim report under his hand, report thereon to the Board setting forth the grounds of his opinion as aforesaid; and the Board shall cause such interim report to be intimated to the committee or person affected thereby; and after such enquiry as the Board think fit they shall decide all questions raised by such interim report, and shall disallow all unlawful items of account and shall surcharge the amount of any unlawful payment or expenditure or of any loss or deficiency, upon any member, officer or servant of the committee or other person by whose negligence or misconduct that payment or expenditure has been made or authorised or that loss or deficiency has been incurred.

2. If the Board are of opinion that any disallowance or surcharge might lawfully be made, but that in the circumstances of the case it is equitable that the disallowance or surcharge should not be made, they may abstain from making the same:

Provided that where the payment or expenditure relates in whole or in part to moneys for the application of which provision is made by scheme, vote or regulation, the Board shall have regard to the terms of that scheme, vote or regulation.

3. Every sum determined by the Board under the provisions hereof to be due from any person shall be paid by such person to the Board within thirty days after such determination has been intimated to him, and if such sum is not so paid the Board may recover the same as a civil debt ; and the costs of any proceedings for the recovery of any such sum so far as not recovered from the person surcharged shall be charged to the insurance committee.

On any such proceedings a certificate purporting to be signed by the Secretary of the Board or some person authorised by the Board to act on behalf of the Secretary shall be conclusive evidence of the facts certified.

4. Any person who knowingly recharges to the funds of an insurance committee any sum which has been disallowed by the Board under the provisions hereof shall be liable on summary conviction to a fine not exceeding three times the amount of the sum so recharged.

FIFTH SCHEDULE.

Section 93 (3).

PROVISIONS OF ACT AUTHORISING REGULATIONS IN RESPECT OF WHICH SPECIAL POWERS ARE GIVEN.

Section of Act.	
Section 12 (6)	- Administration of medical treatment and attendance.
Section 24 (7)	- Issue of certificates by medical practitioners.
Section 37 (2)	- Dissolution of societies.
Section 38 (2)	- Withdrawal of approval.
Section 39 -	- Amalgamation, transfer of engagements, &c., of societies.
Section 40 (1)	- Secessions, expulsions and establishment and dissolution of branches.
Section 54 (2)	- Deposit contributors.
Section 59 (2)	- Navy, Army and Air Force Insurance Fund.
Section 66 (3)	- Crediting of reserve values.
Section 83 (1)	- Provision of funds for insurance committees.
Section 101 (2)	- Provisions as to death certificates.
Section 104 -	- Persons of unsound mind.

Section 120.

SIXTH SCHEDULE.

SANATORIUM BENEFIT IN NORTHERN IRELAND.

Section of Act.	Amendment.
Section 12	In subsections (1), (4), and (5), after "medical benefit," wherever those words occur, there shall be inserted "and "sanatorium benefit."
Section 15	In paragraph (*a*) of subsection (1) after "medical" there shall be inserted "or "sanatorium".
Section 17	In subsection (1) at end there shall be inserted "or of a sanatorium or similar "institution approved under this Act." In paragraph (*b*) of subsection (2) at end there shall be inserted "or if he is an "inmate in receipt of sanatorium benefit, "is a sanatorium in which treatment "under this Act is provided."
Section 48	In subsection (4) after "medical benefit" there shall be inserted "or sanatorium "benefit".
Section 49	In subsection (1) after "medical" there shall be inserted "or sanatorium".
Section 54	In paragraph (*d*) of subsection (1) after "medical benefit" there shall be inserted "and sanatorium benefit".
Section 56	In paragraph (*a*) (iii) of subsection (1) after "medical benefit" there shall be inserted "and sanatorium benefit".
Section 58	In paragraph (1) after "medical benefit" there shall be inserted "sanatorium "benefit".
Section 59	In subsection (3) after "medical benefit" there shall be inserted "and sanatorium "benefit".
Section 68	In subsection (2) after "medical benefit" there shall be inserted "or in respect of "the cost of sanatorium benefit".
Section 69	In subsection (3) for "medical benefit" there shall be substituted "sanatorium "benefit."

Section of Act.	Amendment.
Section 83 - -	In subsection (1) at the beginning there shall be inserted "All sums available for "sanatorium benefit in a county or "county borough and".
Section 85 - -	In subsection (3) after "medical" there shall be inserted "or sanatorium".
Section 98 - -	In subsection (1) at end there shall be inserted "or sanatorium benefit".

SEVENTH SCHEDULE.

Section 133.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	The whole Act, except subsections (1), (2), and (3) of section sixty-four, sections seventy-two and seventy-three, paragraphs (3), (4), (5), (12) and (13) of section eighty, paragraph (14) of section eighty-one, and the short title in section one hundred and fifteen.
3 & 4 Geo. 5. c. 37.	The National Insurance Act, 1913.	The whole Act, except section one, subsections (1), (3), and (4) of section forty-one, and so much of subsection (2) of that section as relates to expenses defrayed in the exercise of any power of dealing with tuberculosis or other disease, subsection (2) of section forty-two, and subsection (1) of section forty-three.
5 & 6 Geo. 5. c. 29.	The National Insurance (Part I. Amendment) Act, 1915.	The whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Geo. 5. c. 96.	The Government War Obligations Act, 1915.	Section three.
7 & 8 Geo. 5. c. 15.	The National Insurance (Part I. Amendment) Act, 1917.	The whole Act.
7 & 8 Geo. 5. c. 62.	The National Health Insurance Act, 1918.	The whole Act.
8 & 9 Geo. 5. c. 55.	The School Teachers (Superannuation) Act, 1918.	Section seventeen
9 & 10 Geo. 5. c. 20.	The Scottish Board of Health Act, 1919.	In subsection (1) of section four, the words from "And provided also" to the end of the subsection.
9 & 10 Geo. 5. c. 21.	The Ministry of Health Act, 1919.	Proviso (ii) to subsection (1) of section three and section nine.
9 & 10 Geo. 5. c. 36.	The National Health Insurance Act, 1919.	The whole Act.
10 & 11 Geo. 5. c. 10.	The National Health Insurance Act, 1920.	The whole Act, except subsection (4) of section two and subsection (1) of section twenty-one.
11 & 12 Geo. 5. c. 25.	The National Health Insurance Act, 1921.	The whole Act.
12 & 13 Geo. 5. c. 38.	The National Health Insurance Act, 1922.	Section two.
14 & 15 Geo. 5. c. 16 (Northern Ireland).	The National Health Insurance Act (Northern Ireland), 1924.	Sections three and four.

CHAPTER 39.

An Act to give effect to a Protocol on arbitration clauses signed on behalf of His Majesty at a meeting of the Assembly of the League of Nations held on the twenty-fourth day of September, nineteen hundred and twenty-three.

[7th August 1924.]

WHEREAS at a meeting of the Assembly of the League of Nations held on the twenty-fourth day of September, nineteen hundred and twenty-three, the

protocol on arbitration clauses set forth in the Schedule to this Act was signed on behalf of His Majesty:

And whereas for the purpose of giving effect to the said protocol it is expedient that the provisions hereinafter contained shall have effect:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Staying of court proceedings in respect of matters to be referred to arbitration under commercial agreements. 52 & 53 Vict. c. 49.

1.—(1) Notwithstanding anything in the Arbitration Act, 1889, if any party to a submission made in pursuance of an agreement to which the said protocol applies, or any person claiming through or under him, commences any legal proceedings in any court against any other party to the submission, or any person claiming through or under him, in respect of any matter agreed to be referred, any party to such legal proceedings may at any time after appearance, and before delivering any pleadings or taking other steps in the proceedings, apply to that court to stay the proceedings, and that court or a judge thereof, unless satisfied that the agreement or arbitration has become inoperative or cannot proceed, shall make an order staying the proceedings.

(2) This section in its application to Scotland and Northern Ireland shall have effect as if the reference to the Arbitration Act, 1889, were omitted therefrom, and in the application of this section to Scotland references to staying proceedings shall be construed as references to sisting proceedings.

Short title.

2. This Act may be cited as the Arbitration Clauses (Protocol) Act, 1924.

SCHEDULE.

PROTOCOL ON ARBITRATION CLAUSES.

The undersigned, being duly authorised, declare that they accept, on behalf of the countries which they represent, the following provisions:—

1. Each of the Contracting States recognises the validity of an agreement whether relating to existing or future differences

between parties, subject respectively to the jurisdiction of different Contracting States by which the parties to a contract agree to submit to arbitration all or any differences that may arise in connection with such contract relating to commercial matters or to any other matter capable of settlement by arbitration, whether or not the arbitration is to take place in a country to whose jurisdiction none of the parties is subject.

Each Contracting State reserves the right to limit the obligation mentioned above to contracts which are considered as commercial under its national law. Any Contracting State which avails itself of this right will notify the Secretary-General of the League of Nations, in order that the other Contracting States may be so informed.

2. The arbitral procedure, including the constitution of the arbitral tribunal, shall be governed by the will of the parties and by the law of the country in whose territory the arbitration takes place.

The Contracting States agree to facilitate all steps in the procedure which require to be taken in their own territories, in accordance with the provisions of their law governing arbitral procedure applicable to existing differences.

3. Each Contracting State undertakes to ensure the execution by its authorities and in accordance with the provisions of its national laws of arbitral awards made in its own territory under the preceding articles.

4. The tribunals of the Contracting Parties, on being seized of a dispute regarding a contract made between persons to whom Article 1 applies and including an arbitration agreement whether referring to present or future differences which is valid in virtue of the said article and capable of being carried into effect, shall refer the parties on the application of either of them to the decision of the arbitrators.

Such reference shall not prejudice the competence of the judicial tribunals in case the agreement or the arbitration cannot proceed or become inoperative.

5. The present Protocol, which shall remain open for signature by all States, shall be ratified. The ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who shall notify such deposit to all the signatory States.

6. The present Protocol shall come into force as soon as two ratifications have been deposited. Thereafter it will take effect, in the case of each Contracting State, one month after the notification by the Secretary-General of the deposit of its ratification.

7. The present Protocol may be denounced by any Contracting State on giving one year's notice. Denunciation

shall be effected by a notification addressed to the Secretary-General of the League, who will immediately transmit copies of such notification to all the other signatory States and inform them of the date of which it was received. The denunciation shall take effect one year after the date on which it was notified to the Secretary-General, and shall operate only in respect of the notifying State.

8. The Contracting States may declare that their acceptance of the present Protocol does not include any or all of the undermentioned territories: that is to say, their colonies, overseas possessions or territories, protectorates or the territories over which they exercise a mandate.

The said States may subsequently adhere separately on behalf of any territory thus excluded. The Secretary-General of the League of Nations shall be informed as soon as possible of such adhesions. He shall notify such adhesions to all signatory States. They will take effect one month after the notification by the Secretary-General to all signatory States.

The Contracting States may also denounce the Protocol separately on behalf of any of the territories referred to above. Article 7 applies to such denunciation.

CHAPTER 40.

An Act to amend the Workmen's Compensation (Silicosis) Act, 1918. [7th August 1924.]

Repealed by the Workmen's Compensation Act 1925 (c. 84).

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of 8 & 9 Geo. 5. c. 14. s. 1.

1. Section one of the Workmen's Compensation (Silicosis) Act, 1918, shall have effect subject to the following amendments:—

(1) The proviso to subsection (1) (which restricts the cases in which compensation may be paid where the silicosis is accompanied by tuberculosis) shall be omitted:

(2) In subsection (2) (which relates to the scale of compensation) for the words "disablement due to silicosis unaccompanied by tuberculosis" there

shall be substituted the words " disablement " due to silicosis or silicosis accompanied by " tuberculosis " :

(3) In paragraph (*d*) of subsection (3) (which relates to the appointment, remuneration, duties and powers of medical officers and advisory medical bodies) after the words " medical officers " there shall be inserted the words " medical boards " :

(4) In paragraph (*e*) of subsection (3) for the words " and for the suspension from employment of " workmen who are found to be suffering from " silicosis or from silicosis accompanied by " tuberculosis " there shall be substituted the words " and for the suspension from employment " of workmen who are found at any time to be " suffering from silicosis or tuberculosis, or " silicosis accompanied by tuberculosis, or who, " when first medically examined in pursuance " of the scheme, are found unsuitable for work " in the industry or process by reason of their " failure to satisfy such requirements with " respect to physique as may be prescribed by " the scheme " :

(5) In paragraph (*f*) of subsection (3) (which relates to the supplemental matters which may be included in a scheme) after the words " supplemental matters " there shall be inserted the words " including provisions as to the deter- " mination of disputes arising between em- " ployers and the authority administering the " fund."

Short title.

2. This Act may be cited as the Workmen's Compensation (Silicosis) Act, 1924, and the Workmen's Compensation (Silicosis) Act, 1918, and this Act may be cited together as the Workmen's Compensation (Silicosis) Acts, 1918 and 1924, and the Workmen's Compensation Acts, 1906 to 1923, and this Act may be cited together as the Workmen's Compensation Acts, 1906 to 1924.

CHAPTER 41.

An Act to confirm a certain Agreement supplementing Article Twelve of the Articles of Agreement for a Treaty between Great Britain and Ireland to which the force of law was given by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922.

[9th October 1924.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Confirmation of agreement.

1. The Agreement set forth in the Schedule to this Act, being an agreement supplementing Article Twelve of the Articles of Agreement for a treaty between Great Britain and Ireland to which the force of law was given by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922, is hereby confirmed, and the said Articles of Agreement for a treaty and the Irish Free State (Agreement) Act, 1922, shall have effect accordingly.

12 Geo. 5. c. 4.

Short title and commencement.

2.—(1) This Act may be cited as the Irish Free State (Confirmation of Agreement) Act, 1924.

(2) This Act shall come into operation on the date on which the said Agreement is confirmed by Act of the Parliament of the Irish Free State, or, if such an Act is passed before the passing of this Act, shall come into operation on the passing of this Act.

SCHEDULE.

AGREEMENT SUPPLEMENTING ARTICLE TWELVE OF THE ARTICLES OF AGREEMENT FOR A TREATY BETWEEN GREAT BRITAIN AND IRELAND TO WHICH THE FORCE OF LAW WAS GIVEN BY THE IRISH FREE STATE (AGREEMENT) ACT, 1922, AND BY THE CONSTITUTION OF THE IRISH FREE STATE (SAORSTÁT EIREANN) ACT, 1922.

WHEREAS the Commissioners to be appointed under the said Article Twelve by the Government of the Irish Free State and by the British Government respectively have been duly appointed by those respective Governments, but the Government of Northern Ireland has declined to appoint the Commissioner to be so appointed by that Government, and no provision is made by the said Articles for such a contingency:

Now it is hereby agreed, subject to the confirmation of this Agreement by the British Parliament and the Oireachtas of the Irish Free State, that if the Government of Northern Ireland does not before the date of the passing of the Act of the British Parliament or of the Act of the Oireachtas of the Irish Free State confirming this Agreement, whichever is the later date, appoint the Commissioner to be so appointed by that Government, the power of the Government of Northern Ireland to appoint such Commissioner shall thereupon be transferred to and exercised by the British Government, and that for the purposes of the said Article any Commissioner so appointed by the British Government shall be deemed to be a Commissioner appointed by the Government of Northern Ireland, and that the said Articles of Agreement for a Treaty shall have effect accordingly.

Signed on behalf of the British Government:	Signed on behalf of the Government of the Irish Free State:
J. RAMSAY MACDONALD.	LIAM T. MACCOSGAIR.

4th August 1924.

TABLE II.

Showing the Effect of Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 14 & 15 GEO. 5.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
43 Geo. 3. c. 161.	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.
48 Geo. 3. c. 55.	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.
57 Geo. 3. c. 25.	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.
6 Geo. 4: c. 7 -	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.
c. 48 -	Justices of the Peace Small Debt (Scotland).	S. 11 extended - - -	16, s. 1.
9 Geo. 4. c. 94.	Clergy Resignation Bonds.	Repealed [by Benefices Act, 1898 (Amdt.) Measure, 14–5 G. 5, No. 1, s. 5].	
2 & 3 Will. 4. c. 113.	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.
7 Will. 4 & 1 Vict. c. 41.	Small Debt (Scotland).	S. 18 extended - - -	16, s. 1.
1 & 2 Vict. c. 106.	Pluralities - -	Ss. 16–24 virt. repealed on termination of powers of uniting or disuniting benefices (save as to City of London, Wales and Monmouthshire)[by Union of Benefices Measure, 14–5 G. 5, No. 2, ss. 45–6.]	

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
3 & 4 Vict. c. 113.	Ecclesiastical Commissioners.	S. 67 extended [by Eccles. Dilapidations Measure, 14–5 G. 5, No. 3, s. 44.] S. 41 from "that with respect to benefices" repealed [by Diocese of Southwell (Division) Measure, 14–5 G. 5, No. 5, s. 12, sched.]	
4 & 5 Vict. c. 39.	Ecclesiatical Commissioners.	S. 12 "and the patronage of all" to "said collegiate church" repealed [by Diocese of Southwell (Division) Measure, 14–5 G. 5, No. 5, s. 12, sched.]	
5 & 6 Vict.: c. 37 -	Land Tax - -	Ss. 3–5 repealed as to inhabited house duty.	21, ss. 20, 41, Sch. 3.
c. 108 -	Ecclesiastical Leasing.	S. 19 repealed as to incumbents of benefices [by Ecclesiastical Dilapidations Measure, 14–5 G. 5, No. 3, s. 53, Sch. 2].	
8 & 9 Vict.: c. 16 -	Companies Clauses Consolidation.	S. 10 applied as modified -	liii, s. 75 (London & N.E. Rly.): lxvi. s. 110 (Southern Rly.): vii. ss. 8, 9 (Bombay, Baroda and C. I. Rly.).
c. 83 -	Poor Law (Scotland).	S. 68 excluded, s. 89 extended (continuance of 1921 Act).	9.
10 & 11 Vict. c. 108.	Ecclesiastical Commissioners.	Limits of Manchester diocese am. [by Bishopric of Blackburn Measure, 14–5 G. 5, No. 4.]	
13 & 14 Vict. c. 98.	Pluralities - -	S. 8 virt. repealed except as to City of London, Wales and Monmouthshire [by termination of powers under 1 & 2 Vict. c. 106 (which *see* above)].	
14 & 15 Vict. c. 36.	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.
16 & 17 Vict. c. 45.	Government Annuities.	S. 21 modified (quarterly payments).	21, s. 39.
19 & 20 Vict. c. 102.	Common Law Procedure Amdt. (Ireland).	Arbitration provisions applicable by regs.	38, s. 124 (2).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
20 & 21 Vict.:			
c. 26 -	Registration of Leases (Scotland).	Ss. 7, 13, Scheds. E, G amended.	27, s. 24 (4) (5), Sch. J.
c. 58 -	Lands Valuation (Scotland).	"And assessed taxes" in s. 1, "or assessed taxes" in s. 3 repealed.	21, ss. 20, 41, Sch. 3.
22 Vict. c. 26	Superannuation -	S. 10 excluded - - -	17, s. 4 (2) (*c*).
26 & 27 Vict. c. 87.	Trustee Savings Banks.	Ss. 9–10, 48–9 extended to certain rly. companies' savings banks.	liv. s. 61 (12) (London Mid. and Scottish Rly.): lxvi. s. 99 (13) (Southern Rly.).
30 & 31 Vict. c. 90.	Revenue - -	S. 24 repealed - - -	21, ss. 20, 41, Sch. 3.
31 & 32 Vict.:			
c. 5 -	Metropolitan Streets Act Amdt.	S. 1 saved - - -	34, s. 10 (1).
c. 37 -	Documentary Evidence.	Applied to N. H. I. Joint Committee.	38, s. 88 (6).
c. 64 -	Land Registers (Scotland).	Ss. 12, 16–7 am., schedules repealed and replaced.	27, ss. 10, 44, Sch. F.
c. 71 -	County Courts Admir. Jurisdiction.	S. 17 repealed - - -	17, s. 11 (5), Sch. 3.
c. 101 -	Titles to Land Consolidation (Scotland).	Ss. 3, 119, 125, 141, Sch. II. am., s. 24 am. and applied, ss. 146, 159, Sch. RR applied, Schs. F (No. 2), H (Nos. 1 and 2) substituted.	27, ss. 2 (1), 3, 5 (3), 6 (1) 10, 24 (6), 25, 31, 44 (2) (*a*) (3) (*a*), Sch. F.
32 & 33 Vict. c. 67.	Valuation of Property (Metropolis).	S. 45 (2) (*a*) and last para. but one, s. 76 "to the duty on inhabited houses or" repealed.	21, ss. 20, 41, Sch. 3.
33 & 34 Vict. c. 63.	Wages Arrestment Limitation (Scotland).	S. 2 am. - - - -	16, s. 2.
34 & 35 Vict.			
c. 43 -	Ecclesiastical Dilapidations.	Act, except ss. 25–8, repealed with savings [by Eccles. Dilapidations Measure, 14–5 G. 5, No. 3, s. 53, Sch. 2].	
c. 90 -	Union of Benefices Acts Amendment.	Virt. repealed (except as to City of London, Wales and Monmouthshire) [by termination of powers under 1–2 V. c. 106 (which *see* above)].	
c. 103 -	House Tax - -	Act repealed - - -	21, ss. 20, 41, Sch. 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
35 & 36 Vict. c. 96.	Ecclesiastical Dilapidations.	Ss. 3 and virt. (with savings for existing mortgages, &c.) 1, 2, repealed [by Eccles. Dilapidations Measure, 14–5 G. 5, No. 3, s. 53, Sch. 2].	
37 & 38 Vict. c. 94.	Conveyancing (Scotland).	Ss. 3, 39 am., 44 am. and applied, 42, Sch. I repealed, ss. 20–1, 34 prosp. repealed, Sch. O substituted, ss. 61 extended, 47 restricted, 6, Sch. G applied.	27, ss. 1 (2), 2 (1), 5 (3), 8 (1) (2), 10 (5) (7), 11 (1), 12 (2) (3) (7), 15 (1), 16 (3) (5), 18, 24 (6), Sch. D.
38 & 39 Vict. c. 55.	Public Health -	Suspension of s. 234 (3) continued.	29.
39 & 40 Vict. c. 35.	Customs (Tariffs) -	Applied to Isle of Man -	24, s. 4 (2).
40 & 41 Vict.:			
c. 2 -	Treasury Bills -	S. 6 excluded - - -	4, s. 3 (2).
c. 40 -	Writs Execution (Scotland).	Ss. 6, 7 am., s. 3, sch. extended.	27, s. 10.
41 & 42 Vict.:			
c. 15 -	Customs and Inland Revenue.	Ss. 13 and, so far as relates to inhabited house duty, 16 repealed.	21, ss. 20, 41, Sch. 3.
c. 68 -	Bishoprics - -	Schedule (III) am. [by Diocese of Southwell (Division) Measure, 14–5 G. 5, No. 5].	
43 & 44 Vict.:			
c. 19 -	Taxes Management	Act, so far as relates to inhabited house duty, repealed.	21, ss. 20, 41, Sch. 3.
c. 24 -	Spirits - - -	In s. 3 definition of methylated spirits repealed and replaced, s. 123 (3) repealed, ss. 120, 130 extended.	21, ss. 13, 41, Sch. 3.
44 & 45 Vict.:			
c. 12 -	Customs and Inland Revenue.	Ss. 23, 24 repealed - -	21, ss. 20, 41, Sch. 3.
c. 58 -	Army - - -	Ss. 189 (6), 190 (3A) added, 44 (11), 47 (1), 174A, 175 (9) am.	5, ss. 4–6, 8–10.
45 & 46 Vict.:			
c. 48 -	Reserve Forces -	Made applicable by O. in C. to air force reserves and auxiliary air force.	15, ss. 2–4, 6 (2)–(5).
c. 72 -	Revenue, Friendly Societies and National Debt.	S. 7 repealed - - -	21, ss. 20, 41, Sch. 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
46 & 47 Vict.: c. 47 -	Provident Nominations and Small Intestacies.	Ss. 8, 9 applied to certain rly. company savings banks.	liv, s. 61 (12) (London Mid. & Scottish Rly.); lxvi. s. 99 (13) (Southern Rly.).
c. 52 -	Bankruptcy - -	S. 122 (14) repealed - -	17, s. 11 (5), Sch. 3.
c. 55 -	Revenue - -	In s. 12 "general commrs. and additional commrs." repealed.	21, ss. 20, 41, Sch. 3.
47 & 48 Vict. c. 62.	Revenue - -	Ss. 6, 7 (1) (3) and, as to inhabited house duty, 7 (2) repealed.	21, ss. 20, 41, Sch. 3.
50 & 51 Vict.: c. 23 -	Incumbents Resignation Act, 1871, Amdt.	S. 6 repealed [by Eccles. Dilapidations Measure, 14–5 G. 5, No. 3 of 1924, s. 53, Sch. 2].	
c. 67 -	Superannuation -	S. 4 extended - - -	17, s. 5 (2).
51 & 52 Vict.: c. 15 -	National Debt (Supplemental).	S. 2 (1) (2) extended -	21, s. 39.
c. 43 -	County Courts -	Ss. 25, 29, 30, 31 from "Provided that," 36–8, 44–7, 154 from "and the brokers" repealed; ss. 4, 33–4, 154, 165, 169, 171–2, 180, 183 amended; s. 59 (2) added.	17, ss. 7, 9 (1) (2) (3) (5), 11 (5), Scheds. 2 and 3.
52 & 53 Vict.: c. 42 -	Revenue - -	Ss. 13 and, as to inhabited house duty, 14 repealed.	21, ss. 20, 41, Sch. 3.
c. 49 -	Arbitration - -	Act applicable by regs. -	38, ss. 24 (7) (*b*) (*c*), 114 (4).
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53 & 54 Vict. c. 8.	Customs and Inland Revenue.	Ss. 25–8, 32 (1) repealed -	21, ss. 20, 41, Sch. 3.
54 & 55 Vict.: c. 13 -	Taxes (Regulation of Remuneration).	Ss. 1, 3, 4, 6, and, as to inhabited house duty, 2 and 5 repealed.	21, ss. 20, 41, Sch. 3.
c. 34 -	Local Authorities Loans (Scotland).	Excluded - - -	36, s. 1 (2).
c. 39 -	Stamp - - -	S. 78 (1) (*a*), Sch. 1 ("(Lease or Tack," and "Receipt" exemption (6)) amended	21, ss. 35–6.
		Sch. extended - - -	27, ss. 6 (2), 32 (2), 42 (2).

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56 & 57 Vict. c. 8.	Local Authorities Loans (Scotland) Act (1891) Amdt.	Power to make regs. under s. 3 extended.	36, s. 1.
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c. 57 -	Diseases of Animals	S. 18, limit temp. removed	3.
c. 60 -	Merchant Shipping	Ss. 446–50, 502–3 saved -	22, s. 6 (2).
59 & 60 Vict.: c. 25 -	Friendly Societies	Ss. 1, 62, 65 am. - -	11.
		Ss. 8 (1), 76 extended, 97 made applicable by regs.	38, ss. 32, 92 (5), 101 (2).
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63 & 64 Vict. c. 7.	Finance - -	S. 14 extended - - -	21, s. 38.
1 Edw. 7. c. 7.	Finance - -	S. 13 repealed - - -	21, ss. 20, 41, Sch. 3.
		S. 7 applied - - -	24, s. 4 (2).
3 Edw. 7: c. 42 -	County Courts -	S. 6 repealed - - -	17, s. 11 (5), Sch. 3.
c. 46 -	Revenue - -	Ss. 1, 11 repealed - -	21, ss. 20, 41, Sch. 3.
4 Edw. 7. c. 21.	Capital Expenditure (Money).	Extended - - -	25, s. 1 (4).
5 Edw. 7. c. 23.	Provisional Order (Marriages).	Extended - - -	20.
6 Edw. 7: c. 20 -	Revenue - -	S. 1 (3) and in s. 4 (1) defn. of mineralised methylated spirits repealed.	21, ss. 13 (4), 41, Sch. 3.
c. 58 -	Workmen's Compensation.	Sch. 2 (9) (15) am. - -	17, s. 6.
7 Edw. 7: c. 9 -	Territorial and Reserve Forces.	Made applicable by O. in C. to air force reserve and auxiliary air force; ss. 20 ext., 30 (1) restricted.	15, ss. 1–4, 6 (2)–(5).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
7 Edw. 7. c. 13.	Finance	S. 23 repealed	21, ss. 20, 41, Sch. 3.
8 Edw. 7: c. 16	Finance	S. 8 repealed	21, ss. 20, 41. Sch. 3.
c. 40	Old Age Pensions	S. 2 (3) (as amended by 9 & 10 Geo. 5. c. 102, s. 2 (1)) amended.	33.
c. 69	Companies (Consol.)	Ss. 209, 240 extended	38, s. 106.
9 Edw. 7: c. 10	Superannuation	Ss. 2, 3, 6 (2) excluded	17, s. 4 (2) (*b*).
c. 43	Revenue	S. 6 am. and extended	21, ss. 15, 41, Sch. 3.
c. 44	Housing, Town Planning, &c.	S. 35 repealed	21, ss. 20, 41, Sch. 3.
1 & 2 Geo. 5: c. 2	Revenue	S. 8 (1) repealed	21, ss. 20, 41, Sch. 3.
c. 26	Telephone Transfer	S. 5 extended	25, s. 1 (5).
c. 48	Finance	S. 15 repealed	21, ss. 20, 41, Sch. 3.
c. 55	National Insurance	Act, except ss. 64 (1) (2) (3), 72–3, 80 (3)–(5) (12) (13), 81 (14) and short title in s. 115 repealed.	38, s. 133, Sch. 7.
3 & 4 Geo. 5: c. 20	Bankruptcy, Scotland.	S. 44 applied	27, s. 44 (4) (6).
c. 37	Nat. Health Insurance.	Act, except ss. 1, 41 (1) (3) (4) and in part (2), 42 (2) and 43 (1), repealed.	38, s. 133, Sch. 7.
5 & 6 Geo. 5: c. 7	Finance Act, 1914 (Sess. 2).	S. 6 from " and where any beer " repealed.	21, s. 41, Sch. 3.
c. 29	National Insurance (Part I. Amendment).	Repealed	38, s. 133, Sch. 7.
c. 61	Government of India.	Ss. 86–7, 92 (4) substituted, 19 (1) added.	28, ss. 1–3.
c. 62	Finance Act, 1915	S. 4 am. and ext.	21, ss. 16, 41, Sch. 3.
c. 89	Finance (No. 2) Act, 1915.	Ss. 11 (1) continued, 12 (1), 13 except (1) and except last para. of (4) repealed, Sch. 1 part III applied.	21, ss. 5 (2), 8, 41, Sch. 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
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c. 96 -	Govt. War Obligations.	S. 3 repealed - - -	38, s. 133, Sch. 7.
6 & 7 Geo. 5:			
c. 11 -	Finance (New Duties).	S. 1 (5) (c) and scale of duty in 1 (1) repealed, s. 4 as to sweetened and fermented table waters virt. repealed, ss. 1 (5) am., 6 (2) extended, 1 excluded.	21, ss. 6, 10, 41, Schs. 2, 3.
c. 12 -	Local Govt. (Emergency Provisions).	Ss. 5 (except (*a*)), 6, 7, 9, 12, 13 (except (4) (5) (6)), 14, 21–2 and 24 (1) continued by Expir. Laws Cont. Act.	
c. 24 -	Finance - -	Ss. 11, 19 repealed, 7 as to sweetened and fermented table waters virt. repealed, 22 am.	21, ss. 3 (4), 10, 41, Sch. 3.
7 & 8 Geo. 5:			
c. 15 -	Nat. Insurance (Part I. Amdt.).	Act repealed - - -	38, s. 133, Sch. 7.
c. 31 -	Finance - -	S. 3 repealed - - -	21, ss. 6, 41, Schs. 2, 3.
c. 51 -	Air Force Constitution.	S. 6 extended - - -	15, ss. 1–4, 6 (2) –(5).
c. 62 -	Nat. Health Insurance.	Act repealed - - -	38, s. 133, Sch. 7.
—	Air Force Act (*see* 7–8 G. 5 c. 51, s. 12)	Ss. 189 (6) added, 44 (11), 47 (1), 174A amended.	5, ss. 7–11.
8 & 9 Geo. 5:			
c. 14 -	Workmen's Compensation (Silicosis).	Ss. 1 (1) proviso virt. repealed, (2), (3) (*d*) (*e*) (*f*) amended.	40.
c. 15 -	Finance - -	Ss. 11, 13, 16 (1), 33 repealed	21, ss. 20, 41, Sch. 3.
c. 40 -	Income Tax - -	Schedule D rule 3 to Case IV repealed, rule 4 to Case V substituted, s. 39 (3) (ii) and rule 8 (2) of No. V in Sch. A, am., part VII (appeals) applied.	21, ss. 12 (4), 24–6, 41, Sch. 3.
c. 41 -	Isle of Man Customs.	S. 2 continued as to tobacco.	24, s. 1.
c. 42 -	Loans (Incumbents of Benefices) Amdt.	S. 6 virt. repealed on virt. repeal of 35–6 V. c. 96 (which *see* above), s. 4 ext. [Eccles. Dilapidations Measure, 14–5 G. 5, s. 38 (2)].	
c. 55 -	School Teachers (Superannuation).	S. 17 repealed - - -	38, s. 133, Sch. 7.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
9 & 10 Geo. 5:			
c. 20 -	Scottish Board of Health.	S. 4 (1) from "And provided also" repealed.	38, s. 133, Sch. 7.
c. 21 -	Ministry of Health	S. 3 (1) (ii) and s. 9 repealed, s. 5 saved.	38, ss. 131, 133, Sch. 7.
c. 32 -	Finance - -	S. 7 repealed - - -	21, s. 41, Sch. 3.
c. 35 -	Housing, Town Planning, &c.	S. 8 applied - - -	35, s. 12 (2).
c. 36 -	National Health Insurance.	Act repealed - - -	38, s. 133, Sch. 7.
c. 50 -	Ministry of Transport.	S. 20 applied - - -	34, s. 12 (3).
c. 60 -	Housing, Town Planning, &c. (Scotland).	S. 6 applied - - -	35, ss. 12 (2), 16 (1).
c. 73 -	County Courts -	S. 15 down to "court; and" repealed.	17, s. 11 (5), Sch. 3.
c. 74 -	Isle of Man (Customs).	S. 2, Sch. 1, continued as to beer.	24, s. 2.
c. 101 -	Government of India.	S. 45 (2) applied - -	28, s. 4 (2).
10 & 11 Geo. 5:			
c. 10 -	National Health Insurance.	Act, except ss. 2 (4) and 21 (1) repealed.	38, s. 133, Sch. 7.
c. 17 -	Increase of Rent and Mortgage Interest (Restrictions).	S. 5 (as substituted by 13–4 G. 5, c. 32, s. 4) (1) (iv) (v) repealed and new (iv) substituted.	18, s. 1.
c. 18 -	Finance -	Ss. 11 (2) repealed, 58 applied, 13 excluded, 19 (1), 20, Sch. 2 (6) am.	21, ss. 18 (3) (4), 21–2, 40–1, Sch. 3.
c. 29 -	Overseas Trade (Credits and Insurance).	As ext. to guarantees, continued.	8, s. 3.
c. 30 -	Unemployment Insurance.	Ss. 2, 18 (7), 25 (with saving), 47 (1) (*e*) (iii), Sch. 2 repealed; ss. 5 (3) (5) (7), 7 (1) (*b*) (2) (*a*), 8 (2) (4) (5), 10 (1) (*c*), 11 (3), 12 (3), 17 (1), 18 (7) (9), 22 (7), 28 (1), 40 (2), 41 am.; 7 (1) (i) (iii) (iv), 14 (2) substituted; 8 (1) (3) excluded; 18 suspended; 13 (5), 35 extended.	30, ss. 1, 2 (1), 3 (1), 4–6, 7 (1), 8, 9 (5) 10 (1), 12–4, 16, 17 (2) (4) (5), Schs. 1–3.
c. 36 -	Pensions (Increase)	Ss. 2 (1) virt. rep., 3 extended, sched. pt. I am.	32, ss. 1–3.

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c. 72 -	Roads - - -	S. 14 (3) (right of appeal) extended.	34, s. 6 (2).
11 & 12 Geo. 5:			
c. 1 -	Unemployment Insurance.	Ss. 1, 3, 9 except subsection (5), Sch. 1 and (so far as it amends ss. 17–8 and Sch. 2 of 1920 Act) Sch. 2 repealed.	30, s. 17 (2), Sch. 3.
c. 15 -	Unemployment Insurance (No. 2).	Whole Act, except ss. 4, 9–13, 15–6, repealed; s. 9 (1) substituted, s. 10 am.	30, ss. 10 (2), 16, 17 (2), Schs. 2, 3.
c. 25 -	National Health Insurance.	Act repealed - - -	38, s. 133, Sch. 7.
c. 26 -	Overseas Trade (Credits and In-Insurance) Amdt.	S. 1 (1) proviso (*a*) repealed	8, s. 3.
c. 32 -	Finance - -	Ss. 9 repealed, and 29 applied.	21, ss. 30, 41 Sch. 3.
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c. 17 -	Finance - -	S. 12 and virt. s. 13 (2) repealed, ss. 3 (4), 15 (2) am.	21, ss. 3 (4), 6 (4), 18 (2), 41, Sch. 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 14 & 15 Geo. 5.
12 & 13 Geo. 5 :			
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c. 42 -	School Teachers (Superannuation).	Act continued, s. 1 (1) am.	12.
c. 48 -	Education (Scotland) (Superannuation).	Act continued, ss. 1 (1) am., 3 (2) added.	13, ss. 1–3.
c. 59 -	Local Govt. and other Officers' Superannuation.	Extended - - -	lxix. s. 92 (power to adopt at Rotherham) ; lxxxix. s. 85 (justices' employees, Leeds)
13 Geo. 5, sess. 2 :			
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c. 4 -	Trade Facilities and Loan Guarantee.	S. 1 (1) and in pt. (2) virt. repealed, 3 (1) am.	8, ss. 1, 4.
13 & 14 Geo. 5 :			
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		S. 2 proviso (1) am. - -	6.
		Ss. 1–3, 7, 10 repealed, 5 (1), 11 (1) am.	30, ss. 16, 17 (2), Schs. 2, 3.
c. 6 -	Local Authorities (Emergency Provisions).	Ss. 1, 2 continued - -	29.
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c. 8 -	Industrial Assurance.	S. 4 (1) from "except that" repealed.	11, s. 2 (1).
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c. 24 -	Housing, &c. -	Ss. 1, 3 cont., 1 (2), 2 (5), 5 (1) (3) am., 3 applied, 5 ext., 1 (1) (*b*) substituted.	35, ss. 1–6, 9, 10 (2), 12 (1), 13, 14 (1), 16, Schs. 1, 2.
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TABLE III.

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TO THE

PUBLIC GENERAL STATUTES.

(14 & 15 GEORGE 5.—A.D. 1924.)

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S. „ „ „ Scotland.
G.B. and N.I. „ „ Great Britain and Northern Ireland.

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1924

THE

LOCAL AND PRIVATE ACTS

PASSED IN THE FOURTEENTH AND FIFTEENTH YEARS OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH

IN THE THIRTY-THIRD PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

WITH AN

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A TABLE

OF

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ARRANGED ACCORDING TO CHAPTER.

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The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

14 GEO. 5.

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P. ii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Harbour. (*Aberdeen Harbour Order Confirmation.*)

ROYAL ASSENT, 28th March 1924.

P. iii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Whitehills Harbour. (*Whitehills Harbour Order Confirmation.*)

P. iv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Leith Harbour and Docks. (*Leith Harbour and Docks Order Confirmation.*)

o (82)28354 Wt 23794AA—4058 500 12/24 A 2

Royal Assent, 15th April 1924.

v. An Act to enable the Chatham and District Light Railways Company to make provision for the repayment and extinguishment of their preference capital. (*Chatham and District Light Railways Company.*)

vi. An Act to relieve the corporation of Birkenhead from the obligation to maintain a service of steamers between New Ferry and Liverpool. (*Birkenhead Corporation* (*Ferries*).)

14 & 15 Geo. 5.

Royal Assent, 15th May 1924.

vii. An Act to amend the Bombay Baroda and Central India Railway Act 1906 and for other purposes. (*Bombay Baroda and Central India Railway.*)

viii. An Act to authorise the construction of a bridge over the River Dee at Queen's Ferry and the removal of the existing bridge and for other purposes. (*Queen's Ferry Bridge.*)

Royal Assent, 29th May 1924.

ix. An Act to provide for the abandonment of the works authorised by the St. Just (Falmouth) Ocean Wharves and Railways Act 1919 and for other purposes. (*St. Just* (*Falmouth*) *Ocean Wharves and Railways* (*Abandonment*).)

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P. xi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the London Midland and Scottish Railway. (*London Midland and Scottish Railway Order Confirmation.*)

P. xii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to St. Andrews Links. (*St. Andrews Links Order Confirmation.*)

Royal Assent, 14th July 1924.

P. xiii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Bradford Coventry Isle of Thanet Joint Hospital Board Stafford Swansea and Whitstable. (*Ministry of Health Provisional Orders Confirmation* (*No.* 1).)

P. xiv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Leyton Plymouth Reading Rugby Joint Hospital District Scarborough and Worsley. (*Ministry of Health Provisional Orders Confirmation* (*No.* 2).)

P. xv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Cambridge Darwen Hyde Middlesex Districts Joint Small-pox Hospital District Portsmouth and Stoke-on-Trent. (*Ministry of Health Provisional Orders Confirmation* (*No.* 3).)

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xxxi. An Act to confer further powers on the Southampton Harbour Board and for other purposes. (*Southampton Harbour.*)

xxxii. An Act to confer further powers on the King's Lynn Docks and Railway Company with reference to the leasing of warehouses and other premises and for other purposes. (*King's Lynn Docks and Railway.*)

xxxiii. An Act to consolidate the rates of the borough of Harrogate and for other purposes. (*Harrogate Corporation.*)

xxxiv. An Act to provide for the consolidation of the rates of the borough of Sunderland to extend the time for the exercise by the mayor aldermen and burgesses of the said borough of certain powers under the Sunderland Corporation (Wearmouth Bridge) Act 1915 and for other purposes. (*Sunderland Corporation.*)

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xxxvi. An Act for conferring further powers upon the Malvern Hills Conservators and for other purposes. (*Malvern Hills.*)

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xlii. An Act to make provision as to the rates dues tolls and charges leviable at certain of the harbours docks and piers of the London and North Eastern Railway Company. (*London and North Eastern Railway* (*Dock Charges*).)

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xliv. An Act to make further provision with respect to the granting of superannuation allowances to the officers and servants of the council of the metropolitan borough of Wandsworth to amend the Wandsworth Borough Council (Superannuation) Act 1909 and for other purposes. (*Wandsworth Borough Council* (*Superannuation*).)

xlv. An Act to confer further powers on the undertakers of the Aire and Calder Navigation in relation to their undertaking to extend the time for the completion of certain authorised works and for other purposes. (*Aire and Calder Navigation.*)

xlvi. An Act to provide for the transfer of the Brockhall Institution at Langho of the Lancashire Inebriates Acts Board to the Lancashire Asylums Board to dissolve the said Inebriates Acts Board and for other purposes. (*Lancashire Asylums Board.*)

xlvii. An Act to make better provision for the health local government and finance of the borough of Haslingden to consolidate the local rates leviable in the borough and for other purposes. (*Haslingden Corporation.*)

xlviii. An Act for empowering the Central London Railway Company to construct subways and works to confer further powers on that Company and on the Metropolitan District Railway Company the London Electric Railway Company

and the Southern Railway Company and for other purposes. (*Central London and Metropolitan District Railway Companies.*)

xlix. An Act to make provision as to the rates dues tolls and charges leviable at the harbours docks and piers at Folkestone Whitstable and Newhaven. (*Southern Railway* (*Dock Charges*).)

Royal Assent, 1st August 1924.

l. An Act for conferring further powers upon the Great Western Railway Company and for other purposes. (*Great Western Railway* (*Additional Powers*).)

li. An Act to establish a superannuation fund for the salaried officers and servants of the London Midland and Scottish Railway Company and for other purposes. (*London Midland and Scottish Railway* (*Superannuation Fund*).)

lii. An Act to confer further powers upon the Grampian Electricity Supply Company and for other purposes. (*Grampian Electricity Supply.*)

liii. An Act to empower the London and North Eastern Railway Company to construct new railways widenings and other works and to acquire lands to authorise the South Yorkshire Joint Line Committee to construct a new railway to extend the time for the completion of certain works and for the compulsory purchase of certain lands and for other purposes. (*London and North Eastern Railway.*)

liv. An Act to empower the London Midland and Scottish Railway Company and the Midland and Great Northern Railways Joint Committee to construct works and acquire lands to extend the time for the completion of certain works and to revive the powers for the compulsory purchase of certain lands to authorise the abandonment of certain railways and for other purposes. (*London Midland and Scottish Railway.*)

lv. An Act to empower the mayor aldermen and burgesses of the borough of Morecambe to construct promenades street improvements and works to make further and better provision for the health local government and improvement of the borough to commute the annual corn rent payable to the vicar of Lancaster by the inhabitants of the borough to consolidate the rates of the borough and for other purposes. (*Morecambe Corporation.*)

lvi. An Act to confer further powers upon the lord mayor aldermen and citizens of the city and county of Kingston upon Hull for the construction of street works and tramways to extend their limits for the supply of water and to make further provision for the health and improvement of the city and for other purposes. (*Kingston upon Hull Corporation.*)

lvii. An Act to confer further powers upon the London County Council and the Metropolitan Borough Councils to confer certain powers upon the Barnes Urban District Council and for other purposes. (*London County Council* (*General Powers*).)

lviii. An Act to provide for the buoying and lighting of the access between the Weston Mersey Lock and the navigable channel of the Mersey to confer further powers upon the Manchester Ship Canal Company with respect to the dredging of the River Mersey and the lowering of the level of the bottom of part of the Manchester Ship Canal and for other purposes. (*Manchester Ship Canal.*)

lix. An Act to increase the rates dues and charges leviable by the Sutton Harbour Improvement Company and for other purposes. (*Sutton Harbour.*)

lx. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and twenty-four to the thirtieth day of September one thousand nine hundred and twenty-five and for other purposes. (*London County Council* (*Money*).)

lxi. An Act to alter and increase the rates tolls and dues leviable by the Neath Harbour Commissioners and for other purposes. (*Neath Harbour.*)

lxii. An Act to authorise the Southend Waterworks Company to construct new works and to raise additional capital and for other purposes. (*Southend Waterworks.*)

lxiii. An Act to enable the mayor aldermen and burgesses of the county borough of Brighton to purchase lands and exercise further powers for the prevention of contamination of their water supply and for other purposes of their water undertaking. (*Brighton Corporation Water.*)

lxiv. An Act to amend and extend the enactments relating to the powers and duties of the Conservators of the River Thames to make further provision for the revenue of the Conservators and for other purposes. (*Thames Conservancy.*)

lxv. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Birmingham in regard to the construction of tramways a new street and street improvements and other matters and for other purposes. (*Birmingham Corporation.*)

lxvi. An Act to empower the Southern Railway Company to extend their dock undertaking at Southampton and to construct works and acquire lands to abandon certain existing and authorised railways and works to transfer to the said Company the undertaking of the Wimbledon and Sutton Railway Company and the undertaking of the Ryde Pier Company and for other purposes. (*Southern Railway.*)

lxvii. An Act to empower the London County Council to rebuild Lambeth Bridge and to make street improvements and other works in connection therewith. (*London County Council (Lambeth Bridge).*)

lxviii. An Act to constitute a Water Board to acquire the undertaking of the Staffordshire Potteries Waterworks Company and to supply water within the limits of supply of that company and for other purposes. (*Staffordshire Potteries Water Board.*)

lxix. An Act to confer further powers upon the mayor aldermen and burgesses of the county borough of Rotherham for the construction of street improvements and for the running of trolley vehicles and omnibuses to enlarge their powers in regard to their tramway gas electricity water and markets undertakings and to make further provision with respect to the health local government and improvement of the borough and for other purposes. (*Rotherham Corporation.*)

lxx. An Act to confer further powers on the corporation of Halifax with respect to their water and electricity undertakings to increase water charges to authorise the acquisition of the Shibden Hall Estate as a public park and for other purposes. (*Halifax Corporation.*)

lxxi. An Act to confer further powers upon the mayor aldermen and citizens of the city of Wakefield with regard to the construction of waterworks and the consolidation of parishes and to make further provision with regard to their electricity undertaking and the health improvement and good government of the city and for other purposes. (*Wakefield Corporation.*)

P. lxxii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Kingston-upon-Hull Kingston-upon-Thames Liverpool Loughborough Rochdale and Uxbridge. (*Ministry of Health Provisional Orders Confirmation (No. 6).*)

P. lxxiii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Blackpool Denton Derwent Valley Water Board North Cornwall Joint Water District Poole and Wimbledon. (*Ministry of Health Provisional Orders Confirmation (No. 7).*)

P. lxxiv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Bognor Brighouse Durham Newport (Monmouth) North-West Gloucestershire Joint Smallpox Hospital District and South Staffordshire Joint Smallpox Hospital District. (*Ministry of Health Provisional Orders Confirmation (No. 8).*)

P. lxxv. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Blackpool (South Shore) Helensburgh Montrose Penarth and Whitehaven. (*Pier and Harbour Orders Confirmation (No. 1).*)

P. lxxvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Royal Samaritan Hospital for Women Glasgow. (*Royal Samaritan Hospital for Women Glasgow Order Confirmation.*)

P. lxxvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation (Tramways &c.). (*Edinburgh Corporation (Tramways, &c.) Order Confirmation.*)

P. lxxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Rothesay Tramways. (*Rothesay Tramways (Amendment) Order Confirmation.*)

P. lxxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the London Midland and Scottish Railway (Dock Charges Scotland). (*London Midland and Scottish Railway (Dock Charges Scotland) Order Confirmation.*)

Royal Assent, 7th August 1924.

lxxx. An Act to extend the time for the completion of works under the Post Office (London) Railway Act 1913. (*Post Office (London) Railway.*)

P. lxxxi. An Act to confirm certain Provisional Orders of the Minister of Health relating to Brighton Doncaster Doncaster and Tickhill Joint Water District Northumberland and Sheffield. (*Ministry of Health Provisional Orders Confirmation (No. 9).*)

P. lxxxii. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Girvan Great Yarmouth and Teignmouth. (*Pier and Harbour Orders Confirmation (No. 2).*)

P. lxxxiii. An Act to confirm a Provisional Order made by the Minister of Transport under the Keighley Corporation Act 1912 relating to Keighley Corporation trolley vehicles. (*Keighley Corporation (Trolley Vehicles) Order Confirmation.*)

P. lxxxiv. An Act to confirm a Provisional Order made by the Minister of Transport under the St. Helens Corporation Act 1921 relating to St. Helens Corporation trolley vehicles. (*St. Helens Corporation (Trolley Vehicles) Order Confirmation.*)

P. lxxxv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Midlothian (Calder District) Water. (*Midlothian (Calder District) Water Order Confirmation.*)

P. lxxxvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation Water. (*Edinburgh Corporation Water Order Confirmation.*)

lxxxvii. An Act to empower the mayor aldermen and burgesses of the borough of Ashton-under-Lyne to provide and work trolley vehicles and motor omnibuses to provide for the running of trolley vehicles between the boroughs of Ashton-under-Lyne and Oldham to extend the area of supply of the Ashton-under-Lyne Corporation for electricity purposes to confer further powers with regard to the market streets and buildings the health and good government of the borough and the consolidation of rates and for other purposes. (*Ashton-under-Lyne Corporation.*)

lxxxviii. An Act to empower the mayor aldermen and burgesses of the county borough of Hastings to construct additional waterworks and to execute street improvements to make further provision in regard to the water and electricity undertakings of the Corporation to make further provision for the improvement health and good government of the borough to consolidate the parishes and rates of the borough and for other purposes. (*Hastings Corporation.*)

lxxxix. An Act to provide for the alteration of the unions wholly or partly in the city of Leeds and to amalgamate the parishes in that city to confer further powers upon the lord mayor aldermen and citizens of the city in relation to their water and tramways undertakings and the construction of street improvements and to make further provision for the health local government and improvement of the city and for other purposes. (*Leeds Corporation.*)

xc. An Act to increase the borrowing powers of the Londonderry and Lough Swilly Railway Company and for other purposes. (*Londonderry and Lough Swilly Railway.*)

xci. An Act to empower the Taf Fechan Water Supply Board to construct additional waterworks and for other purposes. (*Taf Fechan Water Supply.*)

xcii. An Act to authorise the Clyde Valley Electrical Power Company to raise additional capital to extend the area of supply of the Company and for other purposes. (*Clyde Valley Electrical Power.*)

xciii. An Act for incorporating and conferring powers upon the Lanarkshire Hydro-Electric Power Company and for other purposes. (*Lanarkshire Hydro-Electric Power.*)

xciv. An Act to enable the Rhymney and Aber Gas Company to sell gas on a heat unit basis to make new provision as to charges for the gas and application of the profits of the Company to consolidate the ordinary capital of the Company to confirm an agreement made between the Company and the Powell Duffryn Steam Coal Company Limited and for other purposes. (*Rhymney and Aber Gas.*)

xcv. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester for the construction of street improvements main drainage works and tramways and for the running of trolley vehicles to enlarge their powers in regard to their water gas electricity and tramway undertakings and to make further provision in regard to the health local government and improvement of the city and for other purposes. (*Manchester Corporation.*)

xcvi. An Act to empower the West Cheshire Water Company to acquire additional lands and to raise further capital to increase the charges of the Company and for other purposes. (*West Cheshire Water.*)

xcvii. An Act to empower the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne and the mayor aldermen and burgesses of the county borough of Gateshead to construct a bridge over the River Tyne to authorise the construction and working of tramways over the said bridge and the execution of other works and for other purposes. (*Newcastle-upon-Tyne and Gateshead Corporations* (*Bridge*).)

xcviii. An Act to alter the boundary between the county borough of Croydon and the urban district of Mitcham to authorise the mayor aldermen and burgesses of the said borough to execute street works and to provide and work trolley vehicles to make further provision with regard to the tramways undertaking of the Corporation and the health local government and improvement of the borough and for other purposes. (*Croydon Corporation.*)

xcix. An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Tynemouth with respect to their water fish quay and electricity undertakings to make further provision for the health local government and improvement of the borough and for other purposes. (*Tynemouth Corporation.*)

PRIVATE ACTS.

Printed by the King's Printer, whereof the Printed Copies may be given in Evidence.

14 & 15 Geo. 5.

Royal Assent, 14th July 1924.

1. An Act to authorise the sale of certain pictures bequeathed and settled by the first codicil to the will of the Right Honourable John Poyntz Earl Spencer deceased and to provide for the application of the proceeds of such sale and for other purposes. (*Spencer Settled Chattels.*)

Royal Assent, 7th August 1924.

2. An Act to establish Commissioners to maintain sea embankments and a land drainage system on certain lands in the county borough of Southport and in the parishes of North Meols Scarisbrick Tarleton and Burscough in the county of Lancaster and to transfer certain lands and works to and to confer powers on such Commissioners and for other purposes. (*Scarisbrick Estate Drainage.*)

TABLE II.

A TABLE

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Provisional Order Confirmation Acts. *See* Harbours; Ministry of Health; Pier and Harbour.

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Public Health Acts Amendment Act, 1890.

ss. 16–7 applied; c. xvii, s. 29 (Brighton and Hove).

s. 19 excluded. c. lv, s. 45 (2) (Morecambe); c. lxxi, s. 85 (2) (Wakefield); c. lxxxvii, s. 60 (2) (Ashton-under-Lyne).

s. 23 applied as modified. c. x, ss. 48, 56 (Rawtenstall); c. lv, ss. 34, 40 (Morecambe); c. lxxi, s. 79 (Wakefield); c. lxxxvii, s. 54 (Ashton-under-Lyne); c. lxxxviii, s. 85 (Hastings); c. xcviii, ss. 100, 106 (Croydon).

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Public Health Acts Amendment Act, 1907.
s. 69, am., c. lxxi, s. 100 (1) (Wakefield).

Public Health (Buildings in Streets) Act, 1888.
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THE

LAW REPORTS

MEASURES

PASSED BY

The National Assembly of the Church of England in 1923

to which the Royal Assent was given in 1924.

[14 & 15 Geo. 5.]

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MEASURES

PASSED BY

The National Assembly of the Church of England.

[14 & 15 GEO. 5.]

No. 1.

To amend the Law relating to the Patronage of Benefices and to amend the Benefices Act, 1898. [14th July 1924.]

Patronage rights incapable of sale after next two vacancies.

1. A right of patronage of a benefice after two vacancies of such benefice subsequent to the passing of this Measure have occurred shall become incapable of sale, and any transfer for valuable consideration of such right of patronage made after two such vacancies have occurred, whether such valuable consideration is mentioned in the transfer or not, shall be invalid: Provided that this section shall not apply to assignments of patronage under the New Parishes Acts or to sales of land to which rights of patronage are appendant.

6 & 7 Vict., c. 37.
19 & 20 Vict., c. 104.

Patronage rights may by owner be made incapable of sale.
61 & 62 Vict., c. 48.

2. A patron entitled for his own benefit in fee simple or fee tail in possession, whether for a legal or equitable estate, to a right of patronage of a benefice may by declaration under seal registered in the registry of the diocese in which the benefice is situate, as if the said declaration were a transfer registered under the Benefices Act, 1898, declare his intention that the said right of patronage shall be thenceforth without power of sale, and as from the date of the registration of such declaration, section 1 of this Measure shall apply to the said right of patronage as if the two vacancies therein mentioned had occurred.

Presentation of a clergyman by himself, &c., made void.

3. If a right of patronage of a benefice after the passing of this Measure becomes vested by transfer or otherwise in a person who at the date of its becoming so vested is, or subsequently becomes, a clergyman, or in his wife, or in some one on his or her behalf, he shall not be presented to the benefice to which such right of patronage relates, and any such presentation shall be void.

Mortgages of patronage rights—saving in 61 & 62 Vict., c. 48. repealed.

4. In section 1, subsection (7), of the Benefices Act, 1898, the words "or in a mortgage the reservation of a right of redemption" are hereby repealed so far as a transfer of a right of patronage made after the passing of this Measure is concerned.

Repeals. 9 Geo. IV., c. 94. 61 & 62 Vict., c. 48 (Sched.).

5. The Act 9 Geo. IV., chapter 94, whereof the short title is "The Clergy Resignation Bonds Act, 1828," is hereby repealed, and in the Form of Declaration contained in the Schedule to the Benefices Act, 1898, the words "otherwise than as allowed by sections one and two of the Clergy Resignation Bonds Act, 1828" are hereby repealed, and the said Schedule is hereby amended by the addition after the word "agreement" in the third paragraph of the said Form of Declaration of the words following, that is to say, "(not being an agreement lawfully made for exchange of benefices)."

Right of patronage to include right to nominate.

6. A right of patronage of a benefice includes a right to nominate to the patron the person to be presented thereto.

Inconsistent enactments repealed.

7. All enactments dealing with rights of patronage of benefices whether contained in public or in private Acts of Parliament shall continue to have effect only so far as they are not inconsistent with the provisions of this Measure.

Application of Interpretation Act, 1889. 52 & 53 Vict., c. 63

8. The Interpretation Act, 1889, shall apply to this Measure in like manner as it applies to an Act of Parliament.

Short title, &c. 61 & 62 Vict., c. 48.

9. This Measure shall be construed as one with the Benefices Act, 1898, and may be cited as "The Benefices Act, 1898 (Amendment) Measure, 1923."

No. 2.

To make provision for Unions of Benefices outside the City of London, for disunions, alterations, of boundaries and other purposes, and for matters incidental thereto. [14th July 1924.]

Inquiries.

Diocesan Committee.

1. The Diocesan Conference of any diocese may appoint any Diocesan Board or standing committee, or a committee specially constituted to deal with matters connected with this Measure, to be the Diocesan Committee for the purposes of this Measure.

It shall be the duty of the Diocesan Committee from time to time to make a general survey of the diocese either as a whole or in sections in relation to the exercise of any of the powers of this Measure, and to consider whether it is expedient that any action be taken thereunder in reference to any benefice or benefices within the diocese and to advise and report to the bishop thereon; and if any report of the committee shall recommend that any such action be taken and shall require the Ecclesiastical Commissioners to initiate proceedings towards the exercise of any of the powers of this Measure, the bishop may forward the report to the Ecclesiastical Commissioners.

Bishop on request of Ecclesiastical Commissioners to issue commission as to proposed union of benefices or other proposal.

2.—(1) Whenever the bishop of any diocese shall forward to the Ecclesiastical Commissioners a report of a Diocesan Committee requiring them to initiate proceedings towards the exercise of any of the powers of this Measure in relation to any benefice or benefices in the diocese, and shall signify in writing to the Ecclesiastical Commissioners his approval of the requirement, or it shall appear to the Ecclesiastical Commissioners, whether on their own motion or on any representation made to them, that inquiry ought to be made as to the desirability of uniting any two or more benefices or of exercising in relation to any benefices any of the other powers mentioned in subsection (2) of this section, they shall request the bishop of the diocese in which it is situate that one of the said benefices which has or is considered by them to have the largest population to cause a commission to be issued under his hand and seal addressed to commissioners to be nominated as hereinafter provided, authorising and requiring them to inquire and report to him whether any union should be made or any of such other powers should be

exercised, and to inquire into and report upon all such facts and circumstances affecting the benefices named in the commission or any of them and relevant to the matters referred to in the commission as they shall consider expedient, and to make recommendations as to the terms on which any union or other proposal in favour whereof they report shall be carried into effect. The bishop may upon such request issue the commission, and the commissioners shall thereupon make a local inquiry in the prescribed manner and report as to the matters referred to therein.

Powers exercisable under this Measure.

(2) The powers exercisable under this Measure include power—

(*a*) to unite two or more benefices ;

(*b*) to divide any benefice and unite all the several parts thereof to other benefices ;

(*c*) to sever from any benefice any part or parts thereof, and to unite the part or parts so severed to any other benefice or to other benefices ; and

(*d*) to alter the boundaries of any parish by annexing thereto any contiguous area whether portion of another parish or extra-parochial.

Application to sinecures.

(3) The provisions of this Measure as to the union of benefices shall authorise and apply to the union of any one or more sinecure or sinecures with any one or more benefice or benefices, and in relation to any such union references in this Measure to a benefice shall so far as applicable be deemed to include a sinecure : Provided that this subsection shall only apply to a sinecure rectory or vicarage.

Power to alter boundaries extended to benefice not referred to in commission.

(4) The foregoing power to alter the boundaries of any parish shall authorise the commissioners, if in the course of their inquiry it shall seem to them expedient, to recommend an alteration of boundaries as between any one or more of the parishes of the benefices to which their inquiry relates and the parish of any other benefice not referred to in the commission, and any such recommendation may, if the patron of such other benefice gives his consent in writing thereto, be carried into effect as part of the report of the commissioners under this Measure.

Commissioners' discretion as to recommendations in their report.

(5) The commissioners, in reporting as to the benefices to which their inquiry relates, may make recommendations for the exercise of any one or more of the powers contained in subsection (2) of this section, and if the inquiry relates to more than two benefices, may make such recommendations in respect of any two or more of them, and any such recommendation may be by way of addition or as an alternative to any proposal mentioned in the commission.

(6) The commissioners shall in making any report under this Measure have full regard to the circumstances and interests of the parishes affected by their inquiry, and it shall be the duty of each and every of the commissioners to consider the matters under inquiry in their relation to such circumstances and interests and to the interests of religion in England generally.

Duty of the commissioners in making their report.

CONSTITUTION OF COMMISSIONS OF INQUIRY.

3.—(1) The commission shall be constituted and the commissioners shall be nominated as follows, namely :—

Constitution and nomination of commission.

(*a*) One commissioner shall be nominated by the bishop of the diocese in which the benefices affected by the proposed inquiry are situate, or in case the benefices are situate in more than one diocese then jointly by the bishops of those dioceses ;

(*b*) One commissioner shall be nominated jointly by the patron and the Parochial Church Council of each benefice affected, or, if in any benefice there are two or more separate Parochial Church Councils, then jointly by the patron and both or all of the Parochial Church Councils.

(*c*) Where more than two benefices are affected by the proposed inquiry, one additional commissioner for every two benefices after the first two shall be nominated by the Diocesan Committee (if any), or if the benefices are situate in more than one diocese then by the Diocesan Committee (if any) of the diocese of the bishop by whom the commission is to be issued.

(*d*) One other commissioner (who shall act as chairman and have a casting vote in addition to his vote as commissioner) shall be nominated by the Ecclesiastical Commissioners.

(2) If the bishop of the diocese in which any benefice is situate is also the patron or one of the patrons of that benefice, the bishop shall not in respect of that benefice join in the nomination of a commissioner under subsection (1) (*b*) of this section, and in such case the nomination may be made by the other or others of the parties mentioned in such subsection.

Nomination where the bishop is patron.

(3) In the case of any benefice in which there shall not be any Parochial Church Council, the right to nominate a commissioner in respect of that benefice under subsection (1) (*b*) of this section shall be exercisable solely by the patron : Provided that if the bishop of the diocese in which such benefice is situate is the sole patron thereof, no commissioner shall be nominated under subsection (1) (*b*) of this section in respect of that benefice.

Nomination where there is no Parochial Church Council.

Default by one of the parties to joint nomination.

(4) If any of the parties having a joint right of nomination shall neglect or refuse to enter upon or proceed with the nomination of a commissioner, the bishop by whom the commission is to be issued may accept a nomination made or agreed by the other or others of the parties having such joint right without the concurrence of the party in default. And the bishop may act upon such information or evidence of default as he shall consider sufficient. And any nomination so accepted by the bishop shall be valid and effectual for all purposes and notwithstanding that the period of thirty days mentioned in the next subsection hereof may have expired.

Lapse of right of nomination.

(5) If the party or parties entitled as aforesaid to the right to nominate a commissioner in respect of any benefice shall, for a period of thirty days after being requested in writing so to do by the bishop by whom the commission is to be issued, fail or neglect or refuse to nominate a commissioner or fail to agree as to the person to be nominated, his or their right to nominate to such commission shall lapse, and in such case (subject as hereinbefore provided) a commissioner in respect of that benefice shall be nominated by the Diocesan Committee of the diocese in which the benefice is situate, if the committee be requested so to do by the bishop by whom the commission is to be issued.

Commission may be issued notwithstanding lapse of right of nomination.

(6) The bishop shall in any case where any right to nominate a commissioner in respect of any benefice shall have lapsed as aforesaid, be at liberty to issue the commission to such persons as shall have been duly nominated as commissioners, and the commission shall in such case be valid and effectual notwithstanding such lapse, provided that the number of commissioners be sufficient to form the prescribed quorum.

Inquiries under different sections.

(7) Proposals under different sections of this Measure may be referred for inquiry to one and the same commission being a commission duly constituted under this present section for the purposes of an inquiry relating to all the benefices affected by such proposals.

Schemes and Matters Incidental Thereto.

Transmission of report to Ecclesiastical Commissioners and preparation of draft Scheme.

4.—(1) The bishop on receiving a report from commissioners shall cause the same or copy thereof to be transmitted to the Ecclesiastical Commissioners, who shall, if the commissioners making the report shall unanimously, or by a majority of votes, recommend that an union be made or other action be taken, and if the bishop of the diocese or the bishops of the dioceses affected shall signify in writing his or their approval of the report, but not otherwise, cause to be prepared a Scheme based on the terms recommended for effecting the union or other matters proposed by the report, and the Scheme may with the

assent of the bishop of the diocese or the bishops of the dioceses affected embody any modification of the proposals contained in the report.

What may be inserted in the Scheme.

(2) Any Scheme under this Measure may contain all such provisions in addition to those expressly authorised by the Measure as in the opinion of the Ecclesiastical Commissioners may be necessary or desirable for effectually carrying out the specific proposals contained in the Scheme.

Directions as to patronage to be contained in a Scheme.

5. A Scheme for an union of benefices may include directions with reference to the designation or selection of the first incumbent of the united benefice, and shall, if all the benefices are not in the same patronage, contain directions for the settlement of the future exercise of the rights of patronage of the united benefice whether by regulation of the course and succession in which the patrons shall present or nominate thereto or otherwise.

Form and extent of proposed union to be defined by the Scheme.

6.—(1) Every Scheme for an union of benefices shall recommend that the benefices proposed to be united shall become permanently united together and form one benefice with cure of souls, and either—

(*a*) that the parishes or places forming or comprised in the benefices proposed to be united or any two or more of them shall be united into one parish for ecclesiastical purposes, or

(*b*) that such parishes or places shall continue in all respects distinct subject to the express provisions of the Scheme.

Determination of the diocese, archdeaconry and rural deanery of the united benefice.

(2) Every such Scheme shall, where the benefices proposed to be united are not all in the same diocese, recommend the diocese to which the united benefice shall belong, and shall also in such case, and in any other case where the parishes concerned are not all in the same archdeaconry or rural deanery, recommend the archdeaconry and rural deanery to which the united benefice shall belong.

Application of section to part of a benefice.

(3) The provisions of this section shall apply with necessary modifications to any case where it is proposed that any part or parts of any benefice or benefices be united to any other benefice or benefices.

Scheme to define event on which it is to come into operation.

7.—(1) Every Scheme under this Measure shall recommend the event or contingency on the happening of which any union or other matter proposed by the Scheme shall come into operation, but not so as to postpone such operation later than the date of the first avoidance of that one of the benefices affected by the union or other matter proposed by the Scheme which shall last be avoided after the publication in the *London Gazette* of the order affirming the same.

Appointment of

(2) The Ecclesiastical Commissioners may if they think fit insert in any Scheme for an union of benefices provisions

incumbent pending union.

directing that if the benefices proposed to be united are not at the date of the order affirming the Scheme all held by the same incumbent, then on any avoidance of either or any of the said benefices before the happening of the event or contingency on which the union is to come into operation, the incumbent of the other or one of the other of the said benefices shall, if willing, be admitted and instituted or licensed to the vacant benefice, and any direction as aforesaid shall be sufficient to enable such incumbent, notwithstanding any statute or Measure relating to the holding of benefices in plurality, to accept the vacant benefice, and to hold the same with any other or others of the said benefices already held by him.

Parsonage house of united benefice.

8. Every Scheme under this Measure for the formation of an united benefice may contain directions for assigning or appropriating or otherwise providing a house of residence as and for the parsonage house of the united benefice.

Parish church of united parish.

9. Every Scheme under this Measure which recommends that parishes or places shall be united into one parish shall, if more than one church be left standing or remaining within the united parish, recommend which church shall be the parish church, but, if only one church shall be left standing, such church shall be the parish church of the united parish.

Publication of draft Scheme.

10.—(1) A draft of every Scheme under this Measure (whether being an original Scheme or a supplementary Scheme as hereinafter mentioned) shall be published locally in the prescribed manner, and shall also be submitted to the patron or patrons concerned and to the several Parochial Church Councils of the parishes or places affected by the Scheme and to the Diocesan Committee (if any) of the diocese or of each of the dioceses concerned if more than one, together with a notice in each case requiring any objections to such draft Scheme to be stated or transmitted in writing to the Ecclesiastical Commissioners within the prescribed time.

Objections.

Certification of Scheme to the King in Council.

(2) After giving full consideration to all objections, if any, and after making such alterations, if any, in the draft Scheme as having regard to such objections they shall deem right, and after submitting such alterations, if any, to the bishop of the diocese or the bishops of the dioceses affected and obtaining his or their consent thereto in writing, the Ecclesiastical Commissioners shall certify the Scheme and the consent thereto in writing of the bishop or bishops to His Majesty in Council: Provided that the Ecclesiastical Commissioners may at any stage before such certification withdraw any Scheme or draft Scheme if after full consideration they shall deem it advisable so to do.

Appeals to the King in Council.

(3) After any Scheme shall have been certified as aforesaid notice of such certification shall be given in the prescribed manner and within the prescribed time, and any person who has

in due time and manner made objection to the draft Scheme may appeal to His Majesty in Council against the Scheme or any part thereof.

(4) If no appeal is made within one calendar month after the date of the notice of certification His Majesty in Council may make and issue any order or orders for affirming the Scheme.

Hearing by Judicial Committee.

(5) If any appeal is so made, His Majesty in Council may order and direct that the appeal shall be heard by the Judicial Committee of the Privy Council, and the Judicial Committee shall make report to His Majesty in Council thereon, and may propose to His Majesty in Council to affirm or dismiss the Scheme certified by the Ecclesiastical Commissioners or to return the same to the Ecclesiastical Commissioners for alteration or amendment, and His Majesty may affirm or dismiss the Scheme accordingly, or return the same to the Ecclesiastical Commissioners to be reconsidered as to any part thereof.

Orders in Council to be gazetted and to have force of law.

11.—(1) An Order in Council affirming, whether with or without variation, any Scheme under this Measure shall as soon as may be after the making thereof by His Majesty in Council be inserted and published in the *London Gazette*, and every such Order in Council and the provisions of the Scheme as thereby affirmed shall so soon as the Order shall have been gazetted (but subject and without prejudice to the rights of any incumbent affected thereby who shall not assent thereto) have full force and effect of law in all respects and as to all things therein contained.

Orders in Council to be registered.

(2) Every such Order in Council shall be registered in the registry of the diocese or each of the dioceses to which the benefices or places affected thereby shall, or shall respectively, belong, and the registrar of the diocese is hereby required to make such registration.

Scheme to be valid notwithstanding informalities.

(3) After any Scheme under this Measure shall have been affirmed by an Order in Council duly gazetted, such Scheme shall be valid and of full force and effect notwithstanding any previous non-compliance with any of the requirements of this Measure or any omission in regard thereto and notwithstanding any variations between such Scheme and the proposals on which the same was based. But no Scheme hereunder shall have any force or effect unless and until affirmed by an Order in Council duly gazetted.

Supplementary Schemes and Orders.

(4) His Majesty in Council may at any time after the issuing of any Order affirming any Scheme make a supplementary Order affirming a Scheme to be submitted to His Majesty in Council by the Ecclesiastical Commissioners for remedying any defects or supplying any omissions which in the opinion of the Ecclesiastical Commissioners shall exist in the original Order or in any prior supplementary Order or for making any corrections, alterations

or additions in relation thereto which may be found expedient or necessary, and every such supplementary Order and the Scheme thereby affirmed shall have the same force and effect, and the provisions of this Measure shall apply thereto, in all respects as if they had formed part of the original Order and Scheme, provided that the same consents shall be necessary to the Scheme on which such supplementary Order is founded as would have been necessary if it had been an original Scheme, but no new commission or inquiry shall be necessary prior to the submission to His Majesty in Council of any of such supplementary Scheme.

Supplementary powers.

12.—(1) If after an union of benefices whether made under this Measure or under any Act of Parliament or otherwise it shall appear desirable to the Ecclesiastical Commissioners whether on their own motion or on any representation made to them—

(*a*) that, in the case of an united benefice of which the parishes shall not have been united, those parishes or any two or more of them should be united for ecclesiastical purposes, or

(*b*) that in the case of an united benefice of which the parishes shall have been united, some other church situate within the united benefice should be substituted for the existing parish church of the united parish, or

(*c*) that in the case of an united benefice of which the parishes shall not have been united, some other church situate within any one of the said parishes should be substituted for the existing parish church of that parish,

or in a report of the Diocesan Committee approved in writing by the bishop of the diocese and forwarded by him with such approval to the Ecclesiastical Commissioners they are required to initiate proceedings with a view to effecting any of the said objects, the Ecclesiastical Commissioners shall request the bishop of the diocese in which the united benefice is situate to cause a commission to be issued to commissioners to inquire into and report upon the desirability of those parishes being so united or such substitution being made, as the case may be, and upon all matters arising in connection with any recommendation they may make as to any such union or substitution.

(2) The bishop may thereupon issue the commission to commissioners nominated in manner provided by section three of this Measure, and if the report of the commissioners shall recommend that any action be taken, such recommendation, either with or without modifications, may be carried into effect by a Scheme under this Measure in manner and in accordance with the procedure hereinbefore authorised and directed.

Union of benefices held in plurality.

13. Where any two benefices are held in plurality or, being vacant, were held in plurality by the last incumbent thereof, and have been so held continuously, save during periods of

avoidance, either for a period of sixty years or under three successive incumbencies for any shorter period, the Ecclesiastical Commissioners may with the consent of the Diocesan Committee (if any) of the diocese or of each of the dioceses, if more than one, to which the said benefices belong, and with the approval of the bishop or bishops of such diocese or dioceses, cause to be prepared a Scheme for the union of the said benefices under the provisions of this Measure without any previous inquiry or report, but, save as regards proceedings prior to the preparation of a draft Scheme, all the provisions of this Measure relating to an union of benefices shall apply to any union proposed to be effected by a Scheme under this section: Provided that if the patron or Parochial Church Council of either benefice upon publication of the draft Scheme shall make any objection thereto, and the Ecclesiastical Commissioners on consideration of the objection are unable to come to an agreement with the objector, then the draft Scheme shall be withdrawn by the Ecclesiastical Commissioners.

Revenues of Benefices United.

Vesting of church and parsonage house and other property in incumbent of united benefice.

14.—(1) Upon any union of benefices under this Measure coming into operation, any church or parsonage house within the united benefice and other real or personal property which shall have previously been vested in right of his benefice in the incumbent of any separate benefice comprised in the union, and shall not become vested in the Ecclesiastical Commissioners under the provisions of this Measure or be otherwise appropriated under the authority thereof, shall vest in the incumbent for the time being of the united benefice.

Provisions as to the endowments of benefices which are to be divided or from which parts are to be severed.

(2) Where by any Scheme under this Measure it is proposed to sever from a benefice any part or parts thereof and to unite the part or parts so severed to any other benefice or benefices, provisions may be inserted in the Scheme for annexing to any part so to be severed a portion of the endowment and other real and personal property of the benefice from which such severance shall be made. And where by any Scheme under this Measure it is proposed to divide a benefice and to unite all the several parts thereof to other benefices, provision may be inserted in the Scheme for annexing the endowment and other real and personal property of the benefice or any portion of the said endowment and property to any one of the parts of the said benefice, or for annexing the said endowment and property or any portion thereof to any or all of the several parts of the benefice in such shares or in such manner as may seem expedient.

(3) When the union of any such part of a benefice with any other benefice or benefices shall have come into operation, the endowment and property, if any, so annexed to such part shall become portion of the endowment and property of the united

benefice, and shall vest accordingly in the incumbent of the united benefice or otherwise as provided by the Scheme recommending the annexation.

(4) Such portion, if any, of the endowment or revenue of a benefice from which any part or parts shall have been severed as aforesaid as shall not be annexed to any severed part, and shall not be required in order to leave a competent provision for the remainder of the benefice, and also such portion, if any, of the endowment or revenue of a divided benefice whereof all the parts shall have been united to other benefices as shall not be annexed to any of the several parts thereof may be dealt with and applied in like manner as is hereinafter provided in relation to the surplus revenues of benefices comprised in an union of benefices.

Disposal of surplus revenue of benefices included in an union.

15.—(1) Whenever it shall appear to the Ecclesiastical Commissioners that the total revenue of any benefices proposed to be constituted an united benefice which would remain after making such provision out of the revenues of the said benefices or any of them as may seem expedient for any purpose for which the said revenues are applicable under any other section of this Measure, would be more than is required to form a competent provision for the united benefice, and that it is desirable that the surplus revenue or any part thereof should be applied for the benefit of any other benefice or benefices (either already existing or proposed) situate in the same diocese as that in which the united benefice is situate or to which it is assigned by the Scheme for union, and having no provision or no competent provision belonging thereto, the Ecclesiastical Commissioners may by the Scheme for union or in or by any supplementary Scheme recommend that such surplus revenue or some part or parts thereof be appropriated for the augmentation of such other benefice or each of such other benefices, and that for that purpose a portion of the endowments or property of the benefices proposed to be constituted an united benefice sufficient to provide for the augmentation or augmentations so recommended be severed or diverted from the benefice or benefices to which the same shall belong and be appropriated accordingly: Provided that before recommending any benefice for augmentation as aforesaid, the Ecclesiastical Commissioners shall give notice in writing to the patrons of the benefices to be included in the union that there is or may be surplus revenue available for augmentation under this section, and shall consider any representation which may be made by any of the said patrons as to the benefice or benefices to be selected for augmentation or as to the division of the surplus revenue between the selected benefices if more than one: Provided also that save with the consent of the patron no severance or diversion as aforesaid of any endowment or property of a benefice shall be made so as to deprive the benefice, or the united benefice of which it is to form part, of any revenue other than and except revenue arising from endowment

which belonged to the benefice prior to the 1st day of January, 1800, or arising from property representing any such endowment which shall have been sold, exchanged or otherwise dealt with since that date, and except revenue representing improved annual value arising from any sale, lease, or other disposition under the Ecclesiastical Leasing Acts of any property of the benefice, whether acquired before or after the date aforesaid, to the extent to which the revenue of the benefice has been thereby improved.

(2) The powers conferred by this section shall continue to be exercisable in regard to the revenues and endowments of the benefices comprised in a Scheme of union after the Scheme shall have been affirmed by Order in Council and the Order published in the *London Gazette* until the happening of the event or contingency upon which the union is to come into operation.

Further provisions as to disposal of revenues.

16.—(1) Where under any of the provisions of this Measure it is proposed to make any division or distribution of the endowment or property of any benefice or to sever or divert from the benefice any part of such endowment or property, such division, distribution, severance or diversion may be effected either wholly or in part by the transfer of any specific part or parts of such endowment or property or by the creation of any rentcharge or rentcharges or other annual sum or sums issuing out of or charged upon the said endowment or property, or some part or parts thereof, or by any other means approved by the Ecclesiastical Commissioners. And accordingly where any portion of the endowment or property of any benefice is to be appropriated for the benefit of any other benefice such appropriation may be carried out by annexing to such other benefice a specified part of such endowment or property or by creating and annexing to such benefice any rentcharge or annual sum as aforesaid.

(2) Any Scheme under this Measure recommending the creation of a rentcharge shall contain all such powers for recovering the rentcharge by distress upon or perception of the rents and profits of any hereditaments to be charged therewith or otherwise or for the immediate or prospective apportionment of the rentcharge, or for other purposes in relation thereto as to the Ecclesiastical Commissioners shall seem reasonable and proper.

(3) Where any Scheme shall provide for the creation of any rentcharge or annual sum or the transfer of any endowment or property and the annexation thereof to any benefice, the rentcharge, annual sum, endowment or property to be created or transferred and annexed to such benefice shall when and so soon as the provisions of the Scheme in relation to such annexation come into operation and without any further assurance become and be for ever annexed thereto, and shall, together with, in the case of any rentcharge, all powers for recovering the same or relating thereto, be vested in and held and enjoyed by the

incumbent for the time being of the said benefice as the endowment or part of the endowment thereof, subject and without prejudice nevertheless to all leases, grants, rentcharges or incumbrances, if any, then existing and legally affecting the property charged with such rentcharge or comprised in such transfer.

Apportionment of charges and incumbrances on endowments.

17. In any case where it is proposed by any Scheme under this Measure to deal with any endowment of a benefice which is subject to first-fruits or tenths or any mortgage, charge or other incumbrance by reason whereof the incumbent is liable for the payment of any principal money or interest or any annual or other periodical sum, and the Ecclesiastical Commissioners shall consider it expedient to apportion such liability, provision may be made in the Scheme for apportioning the incumbrance, both as regards the moneys payable or to become payable thereunder or in respect thereof, and also as regards the property comprised therein or subject thereto, in such manner as the Ecclesiastical Commissioners shall think proper : Provided that, except where the incumbrance shall be a charge forming part of the provision or endowment of some other benefice, no such apportionment shall be made without the consent in writing of the incumbrancer.

Curates and Assistants in Benefices United.

Curates and other assistants for united or enlarged benefice.

18. Any Scheme for the constitution of an united benefice whether by an union of benefices or by an union of any part or parts of any benefice with any other benefice or benefices may provide that a curate or a specified number of curates be appointed to assist the incumbent in performing the duties of the united benefice, or that provision be made either in addition to or without any proposal for the appointment of a curate or curates for assistance to be given to the incumbent of the united benefice by other clergy or by lay workers, and in any such case—

(*a*) the Scheme may contain directions as to all or any of the following matters, that is to say, as to the place of residence of each or any curate so recommended, as to the church to be served by him, as to the placing of any area or district under his immediate care or supervision, as to his stipend, and as to the remuneration to be allowed for assistance by other clergy or by lay workers, and may provide for any other matter affecting the incumbent in relation to any such curate or curates or assistants as aforesaid ; and

(*b*) the bishop shall in respect of any and every curacy recommended by the Scheme have the like powers of requiring the nomination of and of appointing and licensing a curate, and of assigning a stipend to such

curate as are conferred by section thirteen of the Pluralities Act Amendment Act, 1885, in the cases therein mentioned, but without regard to the annual value or population of the united benefice, subject nevertheless to the like right of appeal as is allowed by that section: Provided that any curate so appointed by the bishop shall hold his curacy subject to the provisions (if any) relating thereto contained in the Scheme and that a stipend may be assigned to him by the bishop up to the amount (if any) specified in the Scheme in respect of such curacy notwithstanding that the same may exceed the stipend assignable under the above-mentioned statutory power; and

Appropriation of fund for payment of curates' stipends.

(c) the Scheme may provide for any part of the endowment of the united benefice being appropriated as a fund whereof the income shall be applicable in such manner as shall be specified by the Scheme for or towards payment of the stipend or stipends of the curate or any of the curates to be appointed thereunder, or payment of the expenses of providing such assistance by clergy or lay workers as may be thereby recommended, and the Scheme may direct that the said fund shall be held and administered by the incumbent but shall be applicable only for the purposes aforesaid, or that the income of the said fund may be received by the incumbent as part of the income of the united benefice subject to and charged with payment of such stipend or stipends or expenses as aforesaid, or may contain such other directions in relation to the said fund and the administration thereof as to the Ecclesiastical Commissioners shall seem proper: Provided always that the Ecclesiastical Commissioners may at any time or times, with the consent of the bishop and the patron of the benefice, by an instrument under the seal of the Ecclesiastical Commissioners, determine or annul such appropriation as to the whole of the fund, or any part thereof, and thereupon the fund or such part of the fund, as the case may be, shall revert to and be held as part of the endowment of the benefice free from the purposes of such appropriation.

PULLING DOWN, SALE AND APPROPRIATION OF CHURCHES, PARSONAGES, AND OTHER PROPERTY.

Power to direct the pulling down, sale and appropriation of

19.—(1) Any Scheme of union may (subject to the restrictions hereinafter contained) provide for the erection of any new church or parsonage house, or for the pulling down, in whole or in part, or removal of any existing church or parsonage house within any benefice proposed to be included in any union

superfluous churches, parsonages, and other property.

of benefices or within any parish or place proposed to be included in any union of parishes, and for the appropriation or sale of the materials and site of the same respectively and of the ground, or part of the ground, annexed or belonging thereto or for the sale or exchange of any parsonage or glebe houses or other buildings and the sites and grounds thereof, or for the appropriation of any church, or the portion thereof left standing for other purposes as hereinafter mentioned, or (subject as hereinafter provided in respect of the font, communion table and plate used for the purposes of Holy Communion) for the appropriation of any plate or furniture belonging to or held in trust for any church proposed to be pulled down, or to be appropriated to secular uses, and for the disposal of the organ in any such church or for arrangements with respect to fees, also for the transfer of any lectureship attached to any such church (but not so as to affect the right of appointment to the lectureship), or for compensation to parish clerks and other officers, or for the adjustment of private rights, or for compensating any incumbent who may be willing to resign in order to accelerate the union.

Scheme for appropriation of any disused church.

(2) Where under or in consequence of any proceedings under any Act of Parliament or for any other reason any church shall have ceased to be used or be no longer required for purposes of Divine Service, and the provisions of the last preceding subsection shall not be applicable thereto, the Ecclesiastical Commissioners may, with the consent of the bishop of the diocese, prepare and submit for affirmation to His Majesty in Council, in manner and in accordance with the procedure hereinbefore authorised and directed, a Scheme under this Measure providing (subject to the restrictions hereinafter contained) for the pulling down in whole or in part or removal of such church, and for the appropriation or sale of the materials and site of the same, and of the ground or any part of the ground annexed or belonging thereto (not being ground forming part of a churchyard which shall have been used for burials), or for the appropriation of the church, or the portion thereof left standing for educational or charitable or other purposes as hereinafter mentioned, or for any other matter incidental to such pulling down, removal, sale, or appropriation. Any proposal under this subsection may be made by a separate Scheme either based upon a report of commissioners or without any previous inquiry and report, or may be included in any Scheme dealing with any other matter under this Measure.

(3) No Scheme recommending the pulling down in whole or in part of any church shall be submitted to His Majesty in Council until it shall have been laid before both Houses of Parliament for the space of two calendar months.

(4) Nothing contained in the Union of Benefices Act Amendment Act, 1871, shall apply to any proceedings under this Measure.

Conditions to be complied with in respect of churches proposed to be pulled down or appropriated to secular uses.

20. Nothing in this Measure contained shall render lawful the sale or letting or appropriation to any secular use of the site of any church unless with the consents in writing of the Archbishop of the province, the bishop of the diocese, and, in cases where there are vaults or graves or remains of persons deposited within or under the church, the Secretary of State for the Home Department, and the site shall be dealt with subject to and in conformity with such directions and restrictions as to the removal of the remains of persons deposited in any vaults or graves within or under the church, and as to leaving undisturbed and finally closing the said vaults and graves as the Secretary of State shall think fit to give or impose. And no sale or letting or appropriation to secular uses shall be made of the site of any church wherein any bodies are known to be interred until after the remains of the persons deposited within or under such church shall have been properly removed into some consecrated churchyard or burial ground, or to such portion of the vaults in the same church as may be separated and set apart for a burial place, and notice of the intention to remove such remains shall be given by the churchwardens or one of the churchwardens of the parish or united parish in which such church is situate, to the heirs, executors, administrators or other representatives of any persons interred within or under the church in all cases where such representatives can be ascertained, and a certificate in writing under the hand of one of the said churchwardens that such removal has been duly made and that such notice has been given or that such representatives cannot be ascertained shall be conclusive evidence that the provisions of this Measure in regard to such removal have been duly complied with: Provided that nothing herein contained shall render lawful the sale or letting of any churchyard which shall have been used for burials.

Further conditions in respect of churches proposed to be pulled down.

21.—(1) Where any church shall be directed to be pulled down under the authority of this Measure, then—

Removal of font, communion table and plate.

(*a*) the font, communion table and plate used for the purpose of the Holy Communion shall not be sold, but shall be transferred to the parish church or to one of the churches (if there shall be more than one) of the benefice or united benefice in which the church to be pulled down is situate, or, if the font, communion table or plate be not needed for such church, or for any of such churches, then to any church or chapel, churches or chapels within the diocese which the bishop shall select; and

Removal of remains and memorials by representatives of deceased persons.

(*b*) it shall be lawful for the representatives, relations or friends of any persons who shall have been interred within or under the church proposed to be pulled down, or in the churchyard or burial ground thereof, so far as shall be consistent with any restrictions or conditions imposed by the Secretary of State, and under proper

directions, to procure the remains of such persons to be removed and re-interred, and also under proper directions to remove the tablets, monuments and memorials erected or fixed in the church to their memory to any place the persons removing the same may think proper ;

Disposals of tablets, monuments, and other memorials to the dead.

(*c*) any tablets, monuments or memorials within the church not removed by such representatives, relations or friends shall be carefully removed and fixed in some convenient part of the church, or of one or other of the churches (if more than one), of the parish or united parish in which the church to be pulled down is situate or otherwise suitably disposed of, and any question as to the selection of a church or churches for this purpose or as to the disposal of any of the said tablets, monuments or memorials shall be settled by the bishop.

(2) The provisions of this section shall so far as applicable extend and apply to any case where part only of a church is directed to be pulled down or where any church is appropriated to any secular use under the authority of this Measure.

Payment of expenses of removal of remains and of font and other things.

(3) Where any church shall be directed to be wholly or partly pulled down, or to be appropriated to any secular use under the authority of this Measure, the expenses of and in connection with the removal and re-interment of remains and the removal and transfer of the font, communion table and communion plate, and the removal and transfer of tablets, monuments and memorials to the dead from within the church, shall be paid by the Ecclesiastical Commissioners out of the Expenses Fund hereinafter provided, and the expenses so payable by the Ecclesiastical Commissioners shall include any reasonable expenses incurred by the representatives, relations or friends of persons buried within or under the church in any case where they shall themselves procure the removal of any remains or any tablets, monuments or memorials, but not exceeding the sum of ten pounds in each such case.

No faculty required or fees payable for removal of memorials.

(4) Any tablets, monuments or memorials to the dead which are to be removed from any church under the provisions of this Measure may be so removed, and may be transferred to any other church within the same benefice or united benefice appointed or selected in that behalf, without a faculty from the Bishop's Court and without payment of any fees to the incumbent or to any officer of the church or parish.

Churches and other properties directed to be pulled down, sold or exchanged to vest in

22. Where by any Scheme under the authority of this Measure the site of any church shall be directed to be sold, or any parsonage house, or land or other hereditaments shall be directed to be sold or exchanged, such site, parsonage house, land, or other hereditaments shall, upon the direction for sale or exchange coming into operation and without any conveyance or other assurances, become and be vested in the Ecclesiastical

Commissioners for the purpose of being dealt with or disposed of in accordance with the terms of the Scheme and the provisions of this Measure, and the Ecclesiastical Commissioners shall have full power to determine so as to bind all persons interested in the property of any benefice any question as to the extent or limits of the lands so vested in them, and the law relating to ecclesiastical dilapidations shall in respect to the dilapidations existing at the time of such vesting be applicable to such parsonage house, land or hereditaments as if the date of the vesting were the date of the avoidance of the separate benefice to which such parsonage house, land or hereditaments had belonged, and as if the Ecclesiastical Commissioners were the new incumbent of such separate benefice. And the Ecclesiastical Commissioners shall have power to do all things necessary for selling or disposing of the hereditaments so vested in them and any materials thereof and furniture and other things therein which are directed to be sold or disposed of, and otherwise for giving effect to the provisions of the Scheme at such time or times and in such manner as they shall deem expedient, and power in place of or until a sale to grant a lease of any such hereditaments for such term as the Ecclesiastical Commissioners may think fit, and power to make all necessary conveyances and assurances of the said hereditaments and premises. And the net moneys arising from any such sale or disposal of the said hereditaments and premises may, if so provided by the Scheme, be applied for the benefit of the united benefice or any benefice or benefices within the same diocese as that of the united benefice or (where there is no union) of the benefice to which the said hereditaments belonged, and if and so far as not so applied shall be placed to the credit of the Expenses Fund hereinafter mentioned in manner hereinafter directed.

Ecclesiastical Commissioners.

23. The site of any church which shall be wholly or partly pulled down under the authority of this Measure unless and until sold or appropriated as hereinbefore provided and the churchyard belonging thereto shall be properly fenced in and preserved and kept free from desecration.

Site of church pulled down and churchyard to be kept in proper condition.

24. In any case where the provisions of this Measure shall authorise the making of an order for the pulling down of any church, such church or any part of the building may be left standing, and may, with the site thereof and any other ground thereto belonging (not being a graveyard or burial ground), be appropriated for any educational or charitable purpose or purposes in connection with the Church of England having in view the spiritual, intellectual, moral or social welfare of the parishioners and others, either for the benefit of the parish in which the building is situate or of any neighbouring parishes or places, or be appropriated either exclusively or in conjunction with any such purposes as aforesaid for use or occupation by any

Appropriation of superfluous churches for educational or charitable purposes.

diocesan body or organisation or otherwise for the furtherance of the work of the Church of England or the administration of its affairs. And where any such appropriation shall have been directed it shall be lawful for the bishop by any deed or deeds under his episcopal seal, and registered in the diocesan registry, to declare the special trusts and purposes upon and for which the building and land so appropriated are to be held, so far as such trusts and purposes are not specifically defined by the Scheme recommending the appropriation, and also to make such regulations and provisions as he shall think proper for the administration and management of the trust, and for the upkeep of the building, and as to the appointment of original and future trustees, and as to all other matters in relation to the trust which in the judgment of the bishop ought to be provided for in the deed of trust. And any such deed may reserve power to the bishop and his successors at any time or times to modify, vary or add to the trusts and provisions thereof in any manner not inconsistent with the terms of the Scheme. And upon the deed of trust being executed and deposited in the diocesan registry the management and control of the hereditaments, subject to the trusts thereof, shall be committed to the persons or person appointed to be the trustees or trustee thereof, and the said hereditaments shall forthwith vest in the Diocesan Authority without any further or other assurance.

Trust deed may be executed by the bishop.

Parochial Rights and Obligations.

Rights of parishioners.

25.—(1) When under the authority of this Measure any church shall have been constituted the parish church of any parish or united parish, or the area of the parish of any parish church shall have been enlarged or altered, the persons residing within the limits of such parish or united parish or enlarged or altered parish, as the case may be, shall, subject as in this Measure otherwise provided, enjoy the same rights and privileges whether in respect of marriages, baptisms, churchings, burials, or otherwise, and be subject to the same obligations in relation to the said church as they would have enjoyed or been subject to if such church had always existed as the parish church for the district constituting such parish or united parish or enlarged or altered parish, as the case may be.

(2) Provided that while and so long as any churchyard within the limits of any benefice shall remain open for interments persons having rights of burial in such churchyard shall not by reason of any union of parishes or substitution of any church for any other church as a parish church or any other thing done under the authority of this Measure become entitled to rights of burial in any other churchyard within the limits of the same benefice.

(3) When the publication of banns of matrimony shall have been duly and regularly commenced in any church such publication may be completed in the same church or in any other church which at the time of such completion shall have taken the place of the first-mentioned church for the purpose of publication of banns of matrimony.

This Measure not to affect parishes for secular purposes.

26. Notwithstanding any union of parishes or other matter or thing carried out or done under this Measure whereby the limits of any parish shall be altered, every parish comprised in such union or affected by such matter or thing shall as to all secular rights, privileges and obligations, and for all other purposes except ecclesiastical purposes, remain distinct in the same manner as theretofore.

Services in church not being parish church.

27. It shall be lawful for the bishop from time to time to direct that services shall or shall not be held in any church, not being a parish church, in an united benefice whether united under this Measure or otherwise, and to direct what services, if any, shall be held therein.

Church and Parochial Trusts and Charities.

Provisions as to benefactions and trusts relating to particular parishes.

28.—(1) An union of benefices or parishes shall not nor shall any other thing done under the authority of this Measure in any way alter or affect the beneficial interest in or the trusts relating to any estates or property, charities, donations, or other benefactions, given to or for the benefit of the parishioners or any of the parishioners or applicable for the benefit of the poor of any particular parish, or held upon any special trusts in relation to any particular parish other than ecclesiastical or other trusts for which provision is made by any other section of this Measure; but the same shall, after and notwithstanding any such union or other thing, remain and continue to be applicable for the like purposes and in the like manner and upon the like conditions as theretofore, save that where in the case of any benefaction, attendance or the performance of Divine Service or any other act is required at any parish or other church, and such church shall be pulled down or cease to be used for Divine Service, the parish church for the time being of the same parish or of any united parish in which it shall be incorporated shall be substituted for the original church for the purposes of such attendance or performance of Divine Service or other act as aforesaid.

Provisions as to trusteeship.

(2) Where in the case of any proposed union of benefices any property held upon special trusts is vested in or under the control of the incumbent for the time being of any of the separate parishes comprised in the proposed union either solely or jointly with the

churchwardens thereof or with any other person or persons, then upon the union coming into operation the incumbent for the time being of the united benefice shall for the purposes of the trust be substituted for the incumbent of the separate parish, and if the parishes of the united benefice shall have been formed into an united parish, the churchwardens of the united parish shall be substituted for the churchwardens of the separate parish, and the trust property shall vest in or be under the control of the incumbent of the united benefice either solely or jointly with such churchwardens or other person or persons as the case may be, and such incumbent shall in relation to the trust stand in the place of and represent the incumbent of the separate parish. And where any property is vested in a corporation of which the incumbent for the time being of any separate benefice comprised in any proposed union is a member, then after the union shall have come into operation the incumbent for the time being of the united benefice shall become and be a member of the corporation in the place of the incumbent of the separate benefice.

Transfer of trusteeship of school, &c.

(3) Where the incumbent of a benefice shall by virtue of his incumbency and whether solely or together with churchwardens or others be a trustee or have the management or control of any school, mission-room or other building or institution within such benefice, and the area in which the said premises are situate shall by any Scheme under this Measure be directed to be transferred to or to become a parish or part of a parish of any other benefice, the Scheme may provide for the future trusteeship, management or control thereof, or, if no provision in this behalf be made by the Scheme, the Ecclesiastical Commissioners by an instrument under their seal deposited in the registry of the diocese in which such other benefice is situate may direct that when the Scheme shall have come into operation the incumbent for the time being of the other benefice shall, for the purposes of such trusteeship, management or control, be substituted for and stand in the place of the incumbent of the first-named benefice, and, where churchwardens are associated with the incumbent in such trusteeship, management or control, that the churchwardens of the church or one of the churches of the other benefice shall be substituted for and stand in the place of the churchwardens previously acting in relation to the premises. And any such direction shall be effectual and sufficient to authorise the incumbent or the incumbent and churchwardens so substituted and his and their successors to assume and act in such trusteeship or management or control of the said premises, and also to discharge therefrom the incumbent or the incumbent and churchwardens, as the case may be, previously acting in relation thereto. And this subsection shall be construed as extending to and including any case where the other benefice above referred to is a separate benefice constituted under a Scheme for the disunion of an united benefice.

Disposal of repair funds and other funds held in connection with churches ceasing to be used for Divine Service.

29.—(1) Where under the authority of this Measure any church shall be ordered to be pulled down or sold or appropriated to secular uses, and any real or personal property shall be held or be applicable under any special trust as a repair fund or for any other purpose in relation to the fabric of the church or the ornaments thereof, or for payment of the expenses of maintaining the services therein, or for the remuneration of the clergyman officiating thereat, or upon any other trust for ecclesiastical purposes in connection with the said church whereof the purpose or object shall fail or cease to exist upon such church ceasing to be used for Divine Service, then and in any such case if and so far as the instrument, if any, creating the trust shall not otherwise provide, such property may be applied for the like purpose or object for the benefit of or in connection with any other church in the same benefice or united benefice, or may be applied in any manner which it would be applicable under this Measure if it were part of the permanent endowment of property of a benefice comprised in an union of benefices or such property or the proceeds of any realisation thereof or any part of the same may be carried over to the Expenses Fund hereinafter mentioned and applied as part of the said fund, and accordingly the Ecclesiastical Commissioners may, in or by any Scheme under this Measure, make any recommendation which to them shall seem proper for dealing with such property or any part thereof in any manner authorised by this subsection.

Disposal of property held by Parochial Church Councils which cease to exist.

(2) Where by reason or in consequence of any union of parishes or of any other thing done under the authority of this Measure the Parochial Church Council of any church shall cease to exist, any real or personal property vested in or held by or on behalf of such Council or so much of the said property as shall not be dealt with or applied in accordance with the provisions of the last preceding subsection or any other section of this Measure shall become vested in or be held by or on behalf of the Parochial Church Council of the parish or united parish in which such church is situate (or if there be more than one such council within the said parish or united parish then the Parochial Church Council for that part of the parish or united parish in which the church is situate) for the like purposes as nearly as circumstances will admit as those for which the same was previously applicable in the hands of the Parochial Church Council so ceasing to exist. And if any question shall arise as to the application of any such property or the income thereof, the same shall be referred to the bishop, whose decision shall be final.

Provisions with regard to endowed lectureships attached to churches to be pulled down or

30. Where in the case of an endowed lectureship the church in which the lectures have been customarily given shall under the provisions of this Measure be directed to be pulled down or appropriated to secular uses, or cease to be the parish church for the parish or place in which it is situate and be no longer used for Divine Service, the lectures shall be given in the church

appropriated to secular uses.

which shall be or become the parish church of such parish or place, or the bishop of the diocese may at any time or from time to time prepare a Scheme providing for such lectures being given in some other church at such times as to the bishop shall appear convenient. And such Scheme shall be submitted to the Charity Commissioners for England and Wales, and the Scheme, if approved of by them, either as submitted by the bishop or with such alterations, if any, as shall appear to the said Commissioners to be advisable and be approved of by the bishop, and if assented to in writing by the incumbent of the church to which the lectureship is proposed to be transferred, shall be valid for effecting the purposes therein mentioned, and shall be registered in the diocesan registry: Provided that nothing herein contained shall authorise the bishop or the said Charity Commissioners to affect the right of electing or nominating the lecturer, or authorise the bishop to license a lecturer, without the consent of the incumbent of the church in which the lecturer is to officiate.

Disunions.

Disunion of united benefice.

31.—(1) If in any case where two or more benefices shall have been united whether under the authority of this Measure or of any Act of Parliament or otherwise it shall at any time appear to the Ecclesiastical Commissioners whether on their own motion or on any representation made to them that owing to any increase or shifting of population or other circumstance it may be expedient to disunite the united benefice either as regards each and all of the constituent benefices or by separating from the united benefice any one or more of such constituent benefices or any part or parts thereof respectively, or in a report of the Diocesan Committee approved in writing by the bishop of the diocese and forwarded by him with such approval to the Ecclesiastical Commissioners, they are required to initiate proceedings with a view to effecting any such disunion or separation as aforesaid, the Ecclesiastical Commissioners shall request the bishop of the diocese to cause a commission to be issued to commissioners to inquire into and report upon the desirability of such disunion and to report upon all matters arising in connection with any recommendation they may make for a disunion.

Issue of commission, report, and Scheme.

(2) The bishop may, upon any such request as aforesaid, issue the commission to commissioners nominated in manner provided by section three of this Measure, but so that for the purposes of the nomination of commissioners the united benefice shall be treated as one undivided benefice, and the constituent benefices shall not be entitled to be separately represented on the commission. And if the report of the commissioners shall recommend that any action be taken, such recommendation either with or without modifications may be carried into effect

by a Scheme under this Measure in manner and in accordance with the procedure hereinbefore authorised and directed.

Terms and effect of Scheme for disunion.

(3) Every Scheme for the disunion of an united benefice shall determine and define the several parts thereof which are to become or remain separate benefices, and the limits of the parish to belong or be assigned to each separate benefice and the name or designation thereof. And upon the happening of the event or contingency upon which under the provisions of the Scheme the disunion is to come into operation the union of the united benefice shall be dissolved to the extent and in the manner directed by the Scheme, and thereupon each of the separate benefices to be constituted under the Scheme shall become and be a separate and distinct benefice to all intents and purposes, and the several parishes of such separate benefices respectively or the places assigned to them for their respective parishes (if not then already separate and distinct parishes) shall become and be separate and distinct parishes for ecclesiastical purposes. And the Scheme shall contain all necessary directions for determining the church which is to be the parish church of each of the separate benefices and for appropriating a house of residence as the parsonage house thereof, if a suitable house shall be available for such appropriation.

Settlement of patronage.

(4) Every scheme for the disunion of an united benefice shall (unless the united benefice be in sole patronage) include directions for the settlement of the future exercise of the rights of patronage of each of the separate benefices to be constituted thereunder according to a fair adjustment or partition of the patronage (due regard being had to the rights of patronage of the respective original benefices before the union thereof), and, if the case so requires, for the regulation of the course and succession in which patrons of any of the separate benefices shall present or nominate thereto, and the Scheme may also contain directions as to the designation or selection of the first incumbent of each or any of the separate benefices.

Division of endowment.

(5) Every Scheme for the disunion of an united benefice shall contain directions as to the division or appropriation of the endowments and property of the united benefice and may provide for dividing or distributing such endowments and property between the separate benefices in such shares or in such manner as may be deemed proper and for annexing the same to the several separate benefices in accordance with such division or distribution or for assigning and annexing the said endowments and property or any part or parts thereof to any one or more of the separate benefices. And the Scheme may also provide for appropriating to any of the separate benefices or for apportioning between the said benefices or any of them any property or funds belonging to or held in connection with the united benefice which shall be subject to any special trust for ecclesiastical purposes if in any case such appropriation or apportionment shall appear

Trust Funds.

Compensation to retiring incumbent.

to be desirable and shall not be inconsistent with the substantial objects or purposes of the trust. And the Scheme may also include provisions for compensating any incumbent who may be willing to resign the united benefice or any part thereof in order to accelerate the disunion.

(6) Where a Scheme for the disunion of an united benefice will take effect either in its entirety or as regards any part thereof upon the avoidance of the united benefice, the incumbent of the united benefice may at any time after the Scheme shall have been affirmed and gazetted, resign any part of the united benefice which on such avoidance is to become a separate benefice or is otherwise to be severed from the united benefice, retaining nevertheless his incumbency of such part of the united benefice as is not included in the resignation, and thereupon the Scheme shall take effect so far as regards the part so resigned as if such resignation had created an avoidance of the united benefice within the meaning of the Scheme.

Expenses Fund.

Expenses Fund.

32.—(1) All expenses which shall be incurred by or under the sanction or direction or on behalf of any bishop or the Ecclesiastical Commissioners in promoting any union of benefices or any other proposal authorised by this Measure, or otherwise in carrying into execution the provisions of this Measure or preliminary to any proceedings thereunder, and whether in the result an Order shall or shall not be obtained, and all other expenses directed by this Measure to be paid by the Ecclesiastical Commissioners, shall be paid by them out of the Expenses Fund to be provided as hereinafter mentioned, so far as such fund shall suffice therefor and subject to the provisions of subsection (2) hereof.

Separate accounts to be kept for each diocese.

(2) In administering the said Expenses Fund the Ecclesiastical Commissioners shall cause a separate account to be kept for each diocese, and the moneys from time to time received for or appropriated to the said fund shall be credited to the account of the diocese in which is situate the benefice from the property or revenue whereof such moneys shall arise. And the moneys standing to the credit of the account of any diocese shall not be applicable for payment of any expenses except such as are incurred in relation to benefices situate in that diocese.

Moneys to be placed to the credit of the fund to the account of each diocese.

(3) The Expenses Fund shall be provided as follows, namely : There shall be placed to the credit of the fund to the account of each diocese—

(*a*) Such part of any Expenses Fund constituted under the Union of Benefices Act, 1919, as may remain to the credit of that diocese after payment of all expenses payable under the said Act on account of that diocese ;

(*b*) All proceeds of sale and moneys received for equality of exchange and other moneys hereinbefore directed to be placed to the credit of the Expenses Fund which shall arise from the sale, exchange or disposal of any church site, parsonage house, lands, or other hereditaments or furniture, materials or other things belonging to or forming part of the property of any benefice situate within that diocese which shall be ordered or directed to be sold, exchanged or otherwise disposed of under the authority of this Measure ; and

(*c*) so much or such part as under the authority of this Measure may be carried over to the Expenses Fund of any property or proceeds of the realisation of any property previously held or applicable under any special trust in connection with any church of a benefice situate within that diocese which shall have been ordered to be pulled down or sold or appropriated to secular uses.

Disposal of surplus funds

(4) The Ecclesiastical Commissioners may with the approval of the Diocesan Board of Finance apply such of the moneys at any time standing to the credit of any diocese under this section as shall not be required for meeting expenses then already incurred and shall not be set aside for meeting future expenses, or any part of the said moneys for the benefit of any benefice or benefices within that diocese : Provided that before any such application shall be made of any money arising from or representing the property of any benefice the Ecclesiastical Commissioners shall give to the patron of that benefice or (as the case may be) to the patron of any united benefice of which it may then form part, notice in writing of the intended application of the said money, and shall consider any representation in relation thereto which may be made by such patron.

Payment of expenses out of Common Fund of Ecclesiastical Commissioners.

(5) If at any time or times there shall not be a sufficient sum standing to the credit of a diocese to pay any expenses incurred under this Measure in relation to any benefice or benefices within that diocese, the Ecclesiastical Commissioners may, if they think fit, pay such expenses or any part thereof out of their common fund.

Constituent benefices deemed situate in diocese of united benefice.

(6) For the purposes of this present section any benefice which under any Scheme for union shall be transferred or is to be transferred from one diocese to another shall be deemed to be a benefice situate within the diocese to which the united benefice is assigned.

Miscellaneous.

House of residence in benefices already united.

33. In any case in which before the passing of this Measure two or more benefices have been united otherwise than under the Union of Benefices Act, 1919, and more than one parsonage house remains belonging to the united benefice, it shall be lawful

for the bishop to signify by an instrument under his hand and seal, to be deposited in the registry of the diocese in which the united benefice is situate, which of such houses shall be the parsonage house for the incumbent of the united benefice, and such house shall thenceforth be the house of residence of such united benefice for all purposes.

Application to parts of benefices included in an union.

34. The provisions hereinbefore contained as to churches, parsonage houses and other hereditaments and as to the rights of parishioners, and as to other matters arising in connection with an union of benefices shall, where part only of a benefice is united or proposed to be united to any other benefice or benefices, extend so far as applicable to such part of a benefice as if the same had been an entire benefice.

Admission to an united benefice and fees payable thereon.

35. When an incumbent holding any one or more of the benefices to be constituted an united benefice also becomes the first incumbent of such united benefice, his admission thereto shall be without presentation or nomination, and he shall not be required to pay any fees in respect of his collation, institution, licence or induction to the united benefice beyond such fees as he would have been liable to pay if he had been collated, instituted, licensed or inducted to the benefice or benefices other than the benefice or benefices which he is so holding, and for the purposes of the fifth section of the Incumbents' Resignation Act, 1871, and of Schedule A thereto, his tenure of the last-mentioned benefice or benefices shall be deemed to continue notwithstanding his admission to the united benefice.

Restrictions on exercise of patronage while proposal for union is pending.

36. The patron of a benefice proposed to be united with any other benefice or benefices shall not at any time after he shall have received from the bishop by whom a commission in respect of the proposed union is intended to be issued a notice calling upon him to nominate or join in nominating a commissioner or at any time after the commission shall have been issued, whichever shall first happen, and until the proposal for union shall have been either duly affirmed, or dismissed or withdrawn present or nominate any person to the said benefice in the event of the same being or becoming vacant without the consent in writing of the bishop of the diocese in which the benefice is situate. And during the same period the bishop shall be entitled by virtue of this Measure to refuse to admit and institute or license any person presented or nominated to such benefice without the previous consent of the bishop: Provided always that the period during which the free right of presentation or nomination to any benefice shall be suspended by virtue of this present section, and such further period, if any, as shall elapse before the order affirming the union shall have been published in the *London Gazette* or, as the case may be, before notice shall have been sent by the bishop to the patron that the proposal for

union has been dismissed or withdrawn, shall not be taken into computation for the purpose of any claim to a title to present or nominate to such benefice by reason of lapse.

Exchanges of patronage.

37. If for the purpose of more conveniently carrying into execution any of the provisions of this Measure it shall appear to the Ecclesiastical Commissioners to be desirable in the case of any one or more of the benefices affected or proposed to be affected by any Scheme that an exchange should be made of the patronage of the said benefice or benefices for the patronage of any other benefice or benefices, an exchange may, with the consent of the patrons of the benefices in respect whereof such exchange is proposed, be made between any persons of the patronage of or any rights of presentation or nomination to the said benefices whether the whole patronage of any of the benefices be vested in one person or in two or more persons under the same title, or in different persons either jointly or by way of alternate rights of presentation or nomination or otherwise. And any such exchange proposed in connection with any Scheme as aforesaid may be recommended by the said Scheme or any supplementary Scheme and shall take effect as part of the terms thereof upon the Scheme being affirmed by an Order in Council duly gazetted either as from the date of the Order or on the happening of such other event as shall be mentioned in that behalf. And when such exchange shall have taken effect the patronage taken by each party by way of exchange shall be discharged from all prior title relating thereto and the title to the patronage given by each party shall shift and attach to the patronage taken by such party under the exchange, so that the same shall become subject to the like uses, limitations, trusts, powers and provisions in every respect as the patronage so given would have been subject to if such exchange had not been made.

Negligible interests in patronage.

38. Where the interest of any person as patron of any benefice affected by a proposal for an union under this Measure, whether he be entitled only to alternate or other turns of presentation or nomination or some other partial interest or be entitled to the whole patronage, is so small that the share of the patronage of the united benefice which on a fair and just apportionment would be assignable in respect of the interest of that person and his successors in title (if any) would in the opinion of the Ecclesiastical Commissioners be negligible, such person and his successors in title (if any) may be treated as having no claim to any share or interest in the patronage of the united benefice.

Ecclesiastical Commissioners may decide doubtful questions of patronage.

39.—(1) Where the consent or concurrence of the patron of any benefice is required for any of the purposes of this Measure, or any notice is to be given to any patron, or for any other reason it becomes necessary in relation to any proceedings under this Measure to determine who is the patron of any benefice for the purposes of this Measure, and in the opinion of the

Ecclesiastical Commissioners it shall be doubtful who is such patron, it shall be lawful for the Ecclesiastical Commissioners to decide the question.

And give directions where a patron cannot be found.

(2) In any case where the person or any of the persons entitled to the patronage of a benefice cannot be found and the bishop of the diocese shall so certify in writing, the Ecclesiastical Commissioners may where the patron who cannot be found is patron in respect of a share only of the patronage direct that the patron or patrons in respect of any other share or shares thereof may act on behalf of the patron who cannot be found and may represent him for all the purposes of this Measure, and in any other such case as aforesaid that the bishop may act on behalf of the person or persons entitled to the patronage of the said benefice, and may represent him or them for all the purposes of this Measure.

(3) Any decision or direction of the Ecclesiastical Commissioners and any certificate of the bishop under this section shall be conclusive for all intents and purposes in relation to any such consent, concurrence, notice or proceedings as aforesaid.

Consents and notices in special cases.

40. Where the consent or approval of the patron of a benefice is required for the exercise of any of the powers given by this Measure or any act or thing is to be done by the patron or any notice is to be given to the patron for any of the purposes of this Measure, then in the cases hereinafter mentioned such consent or approval or act or thing may be signified or done and such notice may be given by or to the following persons respectively, namely :—

Where patronage belongs to the Crown or Duchy of Lancaster.

(*a*) Where the patronage of a benefice is in the Crown or is part of the possessions of the Duchy of Lancaster by or to the person or persons by or to whom under section one hundred and twenty-six of the Pluralities Act, 1838, any consent may be testified or any notice given for the purposes of that Act ;

To Duchy of Cornwall.

(*b*) Where the patronage of a benefice is part of the possessions of the Duchy of Cornwall then by the Duke of Cornwall, or any person duly authorised to act on his behalf under the Duchy of Cornwall Management Act, 1863, including any persons having authority under section thirty-eight or section thirty-nine of the same Statute to act in the name and on behalf of the Duke of Cornwall. And any notice may be given to the Keeper of the Records of the Duchy ; and

To a minor or person of unsound mind.

(*c*) Where a patron of a benefice shall be a minor or a person of unsound mind whether so found or not, by or to the guardian of the minor or the committee of the person of unsound mind or any person authorised by an Order of the Court to exercise on his behalf any of the powers of a committee.

Roman Catholic patrons.

41. Where any person would, but for any Act or Acts of Parliament imposing disability upon Papists, be the patron of a benefice or one of the persons constituting the patron as hereinafter defined, such person shall for the purposes of this Measure, and notwithstanding any disability as aforesaid, be entitled to act and be treated as the patron or one of the patrons (as the case may be) of the said benefice in any proceedings under this Measure so far as shall not be inconsistent with the express provisions of any of the disabling Acts above referred to. And in or for the purposes of any proceedings under this Measure in relation to which any such person may lawfully act or be treated as the patron or one of the patrons of a benefice the person or persons who under the said Acts or any of them would be entitled in his place to make or concur in making any presentation or nomination shall not be deemed to have any interest in or any rights in respect of the patronage of the said benefice by reason only of any rights or powers conferred by any of the said Acts.

Power for Lord Chancellor to make rules.

42.—(1) The Lord Chancellor, with the advice and assistance of the Ecclesiastical Commissioners, may from time to time make and when made, may rescind, alter or add to rules for prescribing anything which under this Measure is to be prescribed, and generally as to all matters and things incidental to or connected with the nomination of commissioners, the holding of local inquiries, appeals to His Majesty in Council, the publication or registration of draft Schemes, Schemes or Orders made under this Measure or as to any other proceedings hereunder, and in particular for regulating—

(i) the manner in which the nomination of a commissioner may be conducted and signified in cases of joint nomination by Parochial Church Councils and others ;

(ii) the place and time of the sittings of the commissioners, and as to the necessary quorum ;

(iii) the taking of evidence, and hearing of objections at any inquiry ;

(iv) the notices, if any, to be given of the sittings of the commissioners to incumbents, patrons, Parochial Church Councils or other persons, and the service of such notices, and the service of other notices under this Measure ;

(v) the filling of vacancies in the number of commissioners and the time within which the commissioners are to make their report ;

vi) the submission of draft Schemes to patrons, Parochial Church Councils and Diocesan Committees ;

vii) the payments, if any, to be made towards the costs and expenses incurred by any Bishop or by the Ecclesiastical

Commissioners, or by the commissioners or the persons appearing before them ;

(viii) the registration and inspection in the diocesan registries or elsewhere of Orders in Council made under this Measure ; and

(ix) the fees to be paid to diocesan and other officials.

(2) All rules made under the Union of Benefices Act, 1919, and in force at the date of the passing of this Measure shall so far as the same are applicable continue in force and extend and apply to proceedings hereunder until rules made under this Measure shall have been substituted therefor.

Definition clause.

43. In this Measure unless the context otherwise requires :—

" Benefice " includes rectories and vicarages with cure of souls, perpetual curacies, endowed public chapels, parochial chapelries, and chapelries and districts belonging to or reputed to belong to or annexed or reputed to be annexed to any church or chapel, and includes an united benefice whether the union shall have been effected under this Measure or any Act of Parliament or otherwise.

The expression " the Ecclesiastical Commissioners " means the Ecclesiastical Commissioners for England.

The expression " the commissioners " means the commissioners appointed to a commission under this Measure.

" Bishop " in relation to the diocese of an archbishop includes the archbishop.

The expression " the patron " with reference to any benefice means the person or persons who would for the time being be entitled otherwise than by lapse to present or nominate thereto if the benefice were then vacant, including, in any case where the right to present or nominate is vested in different persons jointly, both or all of the persons whose concurrence would be required for the exercise of the joint right, and including, in any case where the patronage is vested in different persons by way of alternate or other successive rights of presentation or nomination, every person who is for the time being the person who would be entitled to present or nominate on the next or any subsequent turn.

The expression " Diocesan Conference " means the Diocesan Conference of a diocese constituted as provided in the Regulation passed by the National Assembly of the Church of England and known as the " Diocesan Conferences Regulation, 1922."

The expression " Diocesan Committee " means the Board or Committee appointed under section one of this Measure.

The expression "Diocesan Board of Finance" means the Board of Finance of a diocese constituted or appointed by the Diocesan Conference.

The expression "Diocesan Authority" means the Diocesan Authority as defined by the Parochial Church Councils (Powers) Measure, 1921.

"Prescribed" means prescribed by rules made in pursuance of this Measure, or hereby made applicable to proceedings hereunder.

Repeal and saving.

44. The Union of Benefices Act, 1919, as originally enacted and as continued by the Union of Benefices Measure, 1921, is hereby repealed except as regards anything done under that Act prior to the date of the passing of this measure and any proceedings under the said Act in any matter pending at that date; and any Scheme under the repealed Act shall be construed and have effect in all respects as if it had been made under this Measure, and the powers and provisions of this Measure shall be applicable to any united benefice constituted under the repealed Act in all respects as if the union had been effected under this Measure. And any proceedings under the repealed Act in any matter pending as aforesaid may be continued and carried to completion under the authority of this Measure, and anything done in relation to any such pending matter prior to the passing of this Measure shall be valid and effectual for the purposes thereof notwithstanding any differences between the repealed Act and this Measure as to the constitution of commissions or other procedure.

Area of Measure.

45. The provisions of this Measure shall extend and apply to benefices and sinecures in England (excluding Wales and Monmouthshire) except those wholly or partly within the City of London.

Determination of powers under Pluralities Act, 1838.

46. All powers now subsisting under, or by virtue of, the Pluralities Act, 1838, or any Act amending the same in regard to the union or disunion of benefices to which this Measure is applicable shall forthwith determine and be no longer exercisable.

Interpretation.

47. The Interpretation Act, 1889, shall apply to this Measure in like manner as it applies to an Act of Parliament.

Short title.

48. This Measure may be cited as "The Union of Benefices Measure, 1923."

No. 3.

To amend the Law with regard to Ecclesiastical Dilapidations, and for other purposes.

[14th July 1924.]

PRELIMINARY.

Short title.

1. This Measure may be cited as "The Ecclesiastical Dilapidations Measure, 1923."

Extent.

2. This Measure shall not extend to Scotland or Ireland or to such portions of Wales and Monmouthshire as are subject to the provisions of the Welsh Church Act, 1914.

Definitions.

3. In this Measure—

The term "Central Authority" shall mean Queen Anne's Bounty;

The term "the Bishop" shall mean, as the context may require, the Bishop of the diocese concerned or of the diocese within which the benefice is situated with regard to which the provisions of this Measure are sought to be applied, and in relation to the diocese of an Archbishop shall mean the Archbishop;

The term "the Archdeacon" shall mean the Archdeacon of the archdeaconry within which the benefice is situated with regard to which the provisions of this Measure are sought to be applied;

The term "the Rural Dean" shall mean the Rural Dean of the rural deanery within which the benefice is situated with regard to which the provisions of this Measure are sought to be applied;

The term "Diocesan Dilapidations Board" (hereinafter sometimes called "the Board") shall mean the Diocesan Dilapidations Board constituted under the provisions of this measure, and where referred to in connection with a particular benefice shall mean the Diocesan Dilapidations Board for the area in which such benefice is situated;

The term "Diocesan Conference" shall mean the Diocesan Conference of a diocese constituted as provided in the Regulation passed by the National Assembly of the Church of England, and known as the Diocesan Conferences Regulation, 1922;

The term " Diocesan Authority " shall mean the Diocesan Board of Finance, or any body whether now existing or to be set up hereafter, appointed by the Diocesan Conference under the provisions of the Parochial Church Councils (Powers) Measure, 1921, to act as Trustees of diocesan trust property ;

The term " Surveyor " shall mean the Surveyor acting under this Measure for the area concerned ;

The term " benefice " shall include all rectories with cure of souls, vicarages, perpetual curacies, separate districts for spiritual purposes formed under the New Parishes Act, 1843, endowed public chapels and parochial chapelries, and chapelries or districts belonging or reputed to belong, or annexed or reputed to be annexed, to any church or chapel ;

The term " net income of the benefice " shall mean the annual value of the benefice estimated as provided in 13 and 14 Vict., c. 98, section four ;

The term " Ordinary Assessment " shall mean any order by the Central Authority under section 24 of this Measure, whether varied under section 27 or not, fixing an annual sum for a period of five years ;

The term " Long Assessment " shall mean any order by the Central Authority under section 26 of this Measure, whether varied under section 27 or not, fixing an annual sum for a period of more than five years ;

The term " Charging Assessment " shall mean any order by the Central Authority under section 38 of this Measure charging the revenues of a benefice with the repayment of an advance made by the Central Authority under this Measure ;

The term " quinquennial period " in respect of any benefice shall mean in the case of the first quinquennial period the period from the date of the first ordinary Assessment affecting that benefice to the due date of the fifth annual sum payable under that assessment, and in case of any subsequent quinquennial period the period of five years from the due date of the last annual sum payable under the last preceding Ordinary Assessment ;

The term " patron " shall have the meaning assigned to it by the Incumbents' Resignation Act, 1871 ;

The term " sequestrator " shall mean the person or persons who shall for the time being be appointed for the sequestration of the income of a benefice whether during a vacancy or otherwise ;

The term " preceding Acts " shall mean the Ecclesiastical Dilapidations Act, 1871 and 1872.

Interpretation.

4.—(1) The Interpretation Act, 1889, shall apply to the interpretation of this Measure in like manner as it applies to the interpretation of an Act of Parliament, and as if this Measure were an Act of Parliament.

(2) The provisions of this Measure respecting buildings belonging to a benefice shall apply to all such houses of residence, glebe buildings, walls, fences and other buildings and things as the incumbent of the benefice is by law or custom bound to maintain in repair, and the drainage thereof and the supply of water thereto, but shall not apply to churches or chancels save as hereinafter expressly provided.

(3) For the purposes of this Measure all lands and buildings belonging to a benefice shall be deemed to be within the diocese of the Bishop under whose jurisdiction the benefice is.

Saving of rights of certain incumbents.

5. Nothing contained in this Measure shall be construed or operate to deprive an incumbent or his estate of any protection which at the passing of this Measure he may have in respect of buildings specified in a certificate registered under sections forty-six or fifty of the Ecclesiastical Dilapidations Act, 1871.

Notices, &c.

6.—(1) Whenever this Measure requires any notice, letter, report or other document to be sent, delivered, or otherwise notified or given to or left with any person, the requirement of the Measure shall be deemed to have been complied with by service by post addressed to that person at his last known place of address.

(2) In regard to the patrons mentioned in the enactments set out in the Third Schedule to this Measure, the actions of or towards such patrons required by this Measure shall be performed so far as may be in the manner provided by those enactments.

(3) Where for the purposes of this Measure any act is authorised or required to be done or any notice is required to be given by or to any patron such act and notice may in the case of any right of patronage vested in or in trust for inhabitants, ratepayers, freeholders or other persons forming a numerous class, be done and given by and to the Parochial Church Council of the parish concerned.

Exercise of powers of Bishop, Board, and Central Authority.

7.—(1) The Bishop of a diocese may delegate to the Archdeacon the exercise of any of the powers or duties assigned to him by this Measure other than the issuing of sequestrations.

(2) Where a Bishop is disabled from exercising in person the functions of his office, the powers or duties assigned to him by this Measure shall be exercised by the person lawfully empowered to exercise his general jurisdiction in the diocese.

(3) During the vacancy of a see the powers or duties which may be exercised under this Measure by a Bishop may be exercised by the guardian of the spiritualities of the diocese.

(4) The Diocesan Dilapidations Board may delegate to a Committee of its number the exercise of any of the powers or duties assigned to it by this Measure.

(5) The Central Authority may delegate to a Committee of their number or to their Secretary and Treasurer any of the powers or duties assigned to them by this Measure.

Consents.

8.—(1) Any consent required by this Measure to be given in writing by a Diocesan Dilapidations Board to advances by the Central Authority may, if there shall be no such Board, be given by the Bishop.

(2) Any consent required by this Measure to be given in writing by a Diocesan Dilapidations Board or by the Central Authority shall be sufficiently evidenced by the signature of such consent by their respective Secretaries.

(3) Any consent required by this Measure from the patron or incumbent of a benefice shall be deemed to be given if he shall not signify his dissent in writing within one calendar month after notice has been served on him that his consent will be deemed to be given if he does not so signify his dissent.

(4) Every consent by or authority from a Bishop under this Measure (or from any person by whom his powers are lawfully exercised) shall be in writing under his hand.

Diocesan Dilapidations Board.

Diocesan Dilapidations Board.

9.—(1) As soon as possible after the passing of this Measure the Diocesan Conference of each diocese shall frame a scheme for the constitution of a Diocesan Dilapidations Board for the whole diocese, or, if the Conference resolve for the purposes of this Measure to divide the diocese into parts, then for the constitution of a Board for each part.

(2) The scheme shall determine the number of the members of each Board, and the method of choosing them, and all other matters necessary for the proper constitution of each Board.

(3) Provided always that the scheme may constitute the Board of Finance of the diocese, or any Committee of the Conference, or any other body recognised by the Bishop as performing diocesan functions, to be a Board under this section.

(4) The Board shall present an annual report and accounts to the Diocesan Conference, and shall, subject to the provisions of this Measure, conform to any directions that the Conference may give.

(5) The scheme shall enable and require the Board, or some body or person appointed thereby, to collect, receive and hold money for the purposes of this Measure.

(6) Any scheme passed at a meeting of the Conference shall be signed by the Chairman of that meeting and shall come into operation as from the date of that signature.

(7) The Conference may at any time vary a scheme framed under this section, or may annul it, and substitute for it a new scheme.

Joint Diocesan Dilapidations Board.

10.—(1) The Diocesan Conferences of two or more contiguous dioceses may form a joint Board for such dioceses, or for any parts thereof, and frame a scheme for that purpose.

(2) A scheme under this section may constitute any body mentioned in sub-section (3) of the preceding section of this Measure, or any combination of such bodies, to be the joint Board for the purposes of this Measure.

(3) Where a joint Board has been constituted, all powers, duties and liabilities of the Bishop under this Measure shall be vested in the Bishop of the diocese in which the benefice concerned is situated.

(4) A scheme under this section may be annulled so far as it relates to any particular area by a resolution of the Conference of the diocese in which such area is situated, and in that case provision shall thereupon be made by a scheme under this or the preceding section for the constitution of a Board for such area, or for the assignment of the area to an existing Board; and a scheme so made may vary any existing scheme or may annul it and substitute new provisions in lieu thereof.

Provision if no Diocesan Dilapidations Board.

11. If at any time after the expiration of six calendar months from the passing of this Measure any area shall be without a Board constituted under this Measure then the powers and duties of the Board shall, except as in this Measure otherwise expressly provided, be exercised and performed by the Central Authority until such a Board shall be duly constituted and able to act.

Surveyors.

Surveyors.

12.—(1) The Board when constituted shall appoint such fit persons as Surveyors as may be required for the purposes of this Measure. Each appointment shall be for a term not exceeding five years, and may be for the whole or such part of the diocese or other area administered by the Board as the Board shall determine and as shall be stated in the appointment. If more than one Surveyor be appointed for any area, the Board may, if it thinks fit, from time to time determine which of such Surveyors shall ordinarily act in respect to each benefice in the area.

(2) Any Surveyor whose appointment shall lapse by effluxion of time or otherwise than by removal from office as hereinafter

provided shall be entitled to act for the purposes of this Measure until a successor shall be appointed.

(3) Every Surveyor shall be under the control and direction of the Board by which he was appointed.

(4) Any complaint against the Surveyor for neglect or breach of duty or misconduct shall be made to the Board, who, after giving him opportunity of showing cause to the contrary, shall have power to remove him from his office.

(5) No Surveyor appointed under the provisions of this Measure shall have any claim to compensation on account of any such compulsory removal as aforesaid or of any repeal or alteration of this Measure.

(6) On a vacancy occurring in the office of Surveyor, a fit person may be appointed by the Board as soon as possible after the occurrence of the vacancy.

(7) A Surveyor shall be paid according to a scale of fees or by salary fixed by the Board ; and the scale of fees or salary may from time to time be revised by the Board but not so as to affect the remuneration of a Surveyor in respect to any work then already done or in course of being done by him.

Surveyors under the preceding Acts and this Measure.

13.—(1) All Surveyors appointed under the preceding Acts shall remain Surveyors for the purposes of this Measure pending the appointment of Surveyors under its provisions, and shall be paid according to the rate of charges in force under the preceding Acts at the passing of this Measure : Provided that where a Surveyor appointed under the preceding Acts shall not be appointed under this Measure but is nevertheless engaged at the date of the appointment of the new Surveyor in an inspection of or a report on buildings belonging to a benefice, the Surveyor so engaged shall be at liberty to complete the inspection and report for the purposes of this Measure, and in that case shall be remunerated at the rate of charges in force under the preceding Acts.

(2) When a Surveyor shall have vacated his office after he has made an inspection but before he has made his report, everything done by such Surveyor in respect to the inspection shall be deemed to have been done by the Surveyor appointed in his place.

(3) In any area where there shall be no Surveyor having authority under the preceding Acts, any duties remaining to be performed by a Surveyor in that area under those Acts shall be performed by the Surveyor appointed under the provisions of this Measure.

Surveyor not to be interested in contracts, &c.

14. It shall not be lawful for the Surveyor to be beneficially interested directly or indirectly, by himself or by any partner or otherwise, in any work or contract to be executed or entered into by any person or persons (except any public company of

which he may happen to be a member or shareholder, but not manager or director), under the provisions of this Measure: Provided that nothing herein contained shall prevent the Surveyor being employed and paid by the incumbent either as architect or otherwise to supervise the execution of the works.

Power of inspection and execution of works.

15.—(1) It shall be lawful for any Surveyor employed under this Measure, and for his servants and workmen, and for any person authorised by or on behalf of the Board for the purposes of this Measure, at all reasonable hours during the daytime, from time to time after due notice to the incumbent (if any), to enter into the buildings belonging to any benefice and to inspect and examine the same, and also any works in progress under this Measure.

(2) Where by reason of the refusal or neglect of the person responsible for the dilapidations any repairs are required under this Measure to be executed or buildings to be reinstated, it shall be lawful, after due notice, for all persons authorised by the Surveyor to enter into the buildings belonging to such benefice and to execute the works so required to be executed.

Advisory Powers of Central Authority.

16. The Central Authority may from time to time draw up suggestions for the guidance of the Surveyors as the Central Authority may think desirable for the purposes of this Measure, and shall communicate copies of such suggestions to the Boards.

Survey.

Inspection of benefices.

17.—(1) As soon as a Diocesan Dilapidations Board shall have been constituted, the Board shall cause first inspections to be made for the purposes of this Measure of all the buildings of each benefice in the diocese or area for which it has been constituted.

(2) Such first inspections shall be made within a period of seven years from the passing of this Measure in such order, in respect to the benefices in its area, as the Board may in its discretion determine, and in so determining the Board shall have due regard to the dates of inspections made and of certificates (if any) registered under the preceding Acts: Provided that upon any benefice becoming vacant or being placed under sequestration, the buildings belonging to such benefice, in respect of which no first inspection shall have been made, shall be inspected forthwith.

(3) Save in the case of an inspection on vacancy or sequestration no first inspection shall be made of any buildings belonging to a benefice without the consent of the incumbent, if and so long as the incumbent is protected by a certificate registered before the passing of this Measure under sections forty-six or fifty of the Ecclesiastical Dilapidations Act, 1871.

(4) Any new buildings erected or acquired for any benefice after the passing of this Measure, concerning which buildings no first inspection shall have been made, shall be inspected for the purposes of this Measure as soon as may be after such new buildings shall have been erected or acquired.

(5) On the expiration of every quinquennial period the Board shall, as soon as it conveniently can, and within six months from such expiration, direct another inspection to be made of the buildings of the benefice for the purposes of this Measure.

Reports.

18.—(1) On each inspection of the buildings of a benefice made under section 17 of this Measure the Surveyor shall make a report to the Board based on the obligation on the person lawfully bound to keep or have kept such buildings in good and substantial repair, and stating—

(i) whether any and, if so, what repairs are needed, specifying the same in detail and distinguishing between such as should, in his opinion, be treated—

(*a*) as ordinary repairs, and

(*b*) as structural repairs and in respect to structural repairs between those which, in his opinion, do not properly admit of delay and those which do admit of delay ;

(ii) the estimated cost of all such repairs respectively ;

(iii) except in respect to dilapidations caused by the deliberate action or gross neglect of an incumbent, within what time not exceeding twelve months—

(*a*) ordinary repairs, and

(*b*) such structural repairs as either through their connection with ordinary repairs or otherwise do not, in his opinion, properly admit of delay (hereinafter called "immediate structural repairs"),

should be carried out, and within what time,

(*c*) the remaining structural repairs (if any), should be carried out ;

(iv) what sum will, in his opinion and upon the assumption that the ordinary repairs and immediate structural repairs then needed will be duly carried out, be required to meet the probable cost of—

(*a*) ordinary repairs to such buildings during the five years immediately succeeding the date of his report,

(*b*) any structural repairs mentioned in subsection (iii) (*c*) of this section as not being immediate structural repairs ;

(v) what sum, in his opinion, will be adequate to reinstate each of such buildings in the event of its being destroyed by fire ;

(vi) the reasons for the classification as structural repairs of any repairs so described.

(2) The Surveyor shall forthwith send a copy of such report to—

(i) the incumbent of the benefice ; and

(ii) in case of the sequestration of a benefice, to the sequestrator ; and

(iii) in the case of a first inspection, to any previous incumbent of the benefice not protected under section five of this Measure, or his executors or administrators.

(3) The copy of each report shall be accompanied by copies of section 20 and sub-section (1) of section 21 of this Measure and a notice addressed to the person to whom a copy of this report is sent that he may, if he so desires, send to the Board within fourteen days a tender for the execution of the work or any part of it.

(4) The Surveyor shall certify to the Board when and to whom and in what manner such copies and notices shall have been sent.

Neglect of incumbent.

19.—(1) If a Surveyor shall report or the Board shall be of opinion that any dilapidations have been caused by the deliberate action or gross neglect of an incumbent (in this Measure called " wilful dilapidations "), the Surveyor shall separately state the cost of repairing forthwith such dilapidations, and sections 20 and 21 of this Measure shall thereupon apply.

(2) If a report by a Surveyor relating to wilful dilapidations shall be confirmed by the Board, with or without variation in regard to cost, the Central Authority shall have power to order that the cost of repairing such dilapidations as determined by the Board shall be paid without delay by such incumbent or by his executors or administrators, and the sum due in payment shall be a debt due to the Central Authority from such incumbent or his estate as from the date of such order and shall be recoverable at law, and moneys received or recovered in payment of such debt shall be paid to the Ordinary or Structural Repair Accounts of the benefice, as the case may be.

Objections.

20.—(1) Within one month from the sending of a copy of the report of the Surveyor under this Measure to the person sought to be made responsible for dilapidations in accordance with the provisions of this Measure, whether for the execution of the repairs or for any payment in respect of them, such person may object to the report in writing to the Board on any grounds of fact or law.

(2) Any person so objecting shall pay to the Board such a sum, if any, and not exceeding five pounds, as the Board shall decide to be necessary to defray the cost of enquiry in to the grounds of objection ; and unless such sum be paid no objection shall be deemed to have been made for the purpose of this Measure.

(3) Upon receiving any objection under this section the Board shall investigate the grounds of it, and may for that purpose require the attendance of the incumbent and of the Surveyor concerned, and may make by any members of the Board such inspections as the Board may think necessary, and may invite the Archdeacon in like manner to make inspection on its behalf and may obtain such professional or other advice as it may require.

(4) If the Board finds after investigation that an objection under this section is well founded, it shall repay to the person objecting the sum required to be paid by him or such part thereof as in the circumstances may seem to be reasonable.

Dilapidations Order.

Order. **21**.—(1) If no objection be made, then on the expiration of one month from the sending of the copy of a report as aforesaid, or if objection be made, then so soon as the Board shall have determined upon every such objection, the Board shall make an order confirming the report of the Surveyor without variation or with such variation as the Board may in its discretion decide.

(2) The order of the Board so made shall state separately the estimated cost of the ordinary repairs and the estimated cost of the immediate structural repairs and the person or persons liable for such repairs respectively, and in the case of a first inspection shall require payment of such estimated costs from any person or persons from whom such payment is due.

(3) When the buildings of a benefice protected by a certificate under section forty-six or fifty of the Ecclesiastical Dilapidations Act, 1871, shall be inspected on the occasion of a vacancy or a sequestration, the Board may include as part of the estimated cost of the ordinary repairs which will be required in the next five years the estimated cost of the repairs (whether ordinary repairs or immediate structural repairs) necessary at the time of the inspection, deducting from such estimated cost whatever sum (if any) may have been provided by a grant under sections 41 or 44 of this Measure or by a loan by the Central Authority under section 35 of this Measure or by any other contribution towards defraying such cost.

(4) The order of the Board may also, if it thinks fit, with the consent of the person responsible for the execution of the repairs

of a building to which the order relates, and of the patron, direct the alteration or reconstruction of such building.

(5) The Board at any later time may make a further order—

(i) directing the execution of any ordinary or structural repairs the execution of which may have been postponed by the terms of a previous order; or

(ii) varying the terms of a previous order; or

(iii) extending the time allowed for the execution of any works:

Provided that if such further order shall impose on any person new or increased responsibility for the execution of any works or for the payment of any money, notice of the order shall be sent to such person one calendar month before the order is made, and the provisions of section 20 of this Measure and of this section in regard to the making and consideration of objections shall apply.

(6) A copy of any order under this section shall forthwith be sent to every person from whom payment is required or who is responsible for the execution of repairs under such order and to the Central Authority.

Payment by incumbent.

22.—(1) When under section 17 of this Measure there is a first inspection of the buildings belonging to a benefice, if it be on the occasion of a vacancy in the benefice and the late incumbent is not protected by a certificate, then the late incumbent or his executors or administrators, and if it be not on the occasion of a vacancy, then the incumbent (or in the case of a sequestration, the sequestrator) shall pay to the Central Authority the sum required to be paid in the order made under section 21 of this Measure in respect to the cost of ordinary repairs and immediate structural repairs to the buildings of the benefice estimated in accordance with section 18 of this Measure.

(2) The sum shall be due to be paid as from the date of the order and shall be a debt due to the Central Authority from the person responsible or his estate, and shall be recoverable as such at law.

(3) In the case of a benefice under sequestration the sum required to be paid by the order of the Board shall be a charge upon the moneys from time to time received by the sequestrator in respect of the net profits with such priority in respect to other charges as is in this Measure prescribed.

(4) So long as the sequestration of a benefice shall remain in force, the sequestrator, after payment of the stipends referred to in section 38 of this Measure, shall pay what remains of the profits of the benefice to the Central Authority until the whole sum stated in the order shall have been paid.

(5) Upon the cesser of a sequestration before such sum is fully paid, the balance thereof shall be a debt due and recoverable at law from the incumbent of the benefice or his executors or administrators as from the date of the order of the Board under section 21 of this Measure.

(6) All moneys paid to the Central Authority in accordance with this section shall be placed to the credit of the Ordinary or Structural Repair Account of the benefice as the case may require.

(7) An incumbent upon receiving an order under section 21 of this Measure may represent to the Bishop and to the Board that the buildings belonging to his benefice are in good repair and that he has before the passing of this Measure made adequate provision for meeting the cost of the dilapidations when he shall vacate the benefice by death or otherwise; and if the Bishop and the Board shall be satisfied that this representation is true and that adequate provision has been made as represented, and that it would be inequitable to require such incumbent to make further payment in addition to such provision, the Bishop may, with the consent of the Board, suspend until the next vacancy the operation of the order and of the consequent proceedings under this section and section 31 of this Measure.

Inability of incumbent to pay.

23.—(1) The incumbent of a benefice not under sequestration, after receiving an order made under section 21 of this Measure in pursuance of the first inspection of the benefice after the passing of this Measure, may not later than three months before the expiration of the time specified in the order, or extended by a subsequent order, represent to the Bishop and the Board that he is unable to pay the whole of the sum due from him under the order after taking into account any contribution which may have been made towards payment from other sources.

(2) Upon such representation by an incumbent that he is unable to pay the sum due from him under an order as aforesaid, the Bishop may in his discretion, with the consent of the Board, suspend for such time as the Bishop shall think fit the operation of the order and of the consequent proceedings under sections 22 and 31 of this Measure.

(3) If the benefice have a net income (as in this Measure defined) of not less than £250 a year, the Bishop, upon such representation as aforesaid by the incumbent and after consultation with the Board, may in his discretion authorise the Central Authority to lend so much of the sum due from the incumbent as the Bishop may think fit upon the security of the revenues of the benefice.

(4) Upon the receipt of such authorisation the Central Authority may pay the sum specified by the Bishop to the Ordinary or Structural Repair Account of the benefice as the

case may require and may make a Charging Assessment (as hereinafter provided) in respect of such sum and of the interest accruing upon it.

ASSESSMENT, PAYMENTS AND EXECUTION OF WORKS.

Ordinary Assessments.

24.—(1) As soon as may be after receiving a copy of the order of the Board under section 21 of this Measure the Central Authority shall make an Ordinary Assessment fixing for the next quinquennial period an annual payment to be made on account of the buildings to which the order of the Board relates.

(2) The annual payment to be fixed by such Ordinary Assessment shall consist of—

(i) a sum (in this Measure called "the Repair Rate") sufficient in the opinion of the Central Authority to meet the estimated cost of the repairs required by the order of the Board made under section 21 of this Measure, except

(*a*) repairs of which the cost is spread over more than five years under section 26 of this Measure, and

(*b*) repairs required under section 19 of this Measure in respect to wilful dilapidations, and

(*c*) repairs the cost of which is required by the order of the Board to be paid in consequence of a first inspection under section 17 of this Measure or is otherwise provided for;

(ii) a further sum (in this Measure called "the Insurance Rate") in respect to the insurance premium necessary to provide the capital sum fixed by the order of the Board under section 21 of this Measure in pursuance of the report of the Surveyor under section 18 of this Measure as being adequate to reinstate the buildings if destroyed by fire;

(iii) such further sum (if any) (in this Measure called "the Administration Rate") as the Central Authority shall determine to be the necessary and proper contribution from the benefice towards the administrative expenses of the Central Authority and of the Board (including salaries or fees of Surveyors):

Provided always that—

(*a*) the portion of the Administration Rate representing the administrative expenses of the Central Authority shall not exceed one per cent. of the Repair Rate, and the balance (if any) of such last-mentioned administrative expenses shall be paid by the Central Authority out of their general funds, and

(*b* the portion (if any) of the Administration Rate representing the expenses of the Board (including salaries or fees of Surveyors) shall not exceed ten per cent. of the Repair Rate, and such portion of the Administration Rate shall be paid by the Central Authority to the Board ;

(*c*) if the whole sum so payable towards the administrative expenses of the Central Authority or the Board or any part thereof shall be provided for to the satisfaction of the Central Authority by a Parochial Church Council, or by the Board or by any other person, then the amount of the Ordinary Assessment fixed by the Central Authority may be diminished accordingly.

(3) The Central Authority shall send a copy of any assessment made under this section to the incumbent and sequestrator, if any, of the benefice concerned and to the Board.

Payments under an Ordinary Assessment.

25.—(1) The first annual payment required by the first Ordinary Assessment made in respect to buildings belonging to a benefice shall be due from the incumbent or sequestrator of the benefice to the Central Authority at the expiration of twelve months from the date of such assessment : Provided that the Central Authority may, if they think fit, substitute for twelve months any period not less than nine months nor more than fifteen months from the date of such assessment, and in that case payment shall be due at the expiration of such substituted period.

(2) Subsequent annual payments required by the first Ordinary Assessment shall be due from the incumbent or sequestrator to the Central Authority at equal intervals of twelve months beginning from the date fixed for the first payment in accordance with the preceding sub-section and continuing for four years from such date until the end of the first quinquennial period.

(3) Annual payments fixed by any subsequent Ordinary Assessment shall be in like manner due to the Central Authority at equal intervals of twelve months for the succeeding period of five years ; and the first payment required by any such subsequent Ordinary Assessment shall become due at the expiration of twelve months from the date at which the last payment required by the next preceding assessment became due : Provided that the Central Authority may, if they think fit, vary the date on which a first payment under a subsequent Ordinary Assessment shall become due in the same manner as is prescribed in the first sub-section of this section in respect to the first payment required by the first Ordinary Assessment.

(4) Every payment required by an Ordinary Assessment shall be a charge on the revenues of the benefice having such priority in respect to other charges as is in this Measure prescribed,

and shall be recoverable by the Central Authority in the same manner and with the same powers and provisions in all respects as if it were a sum repayable in respect of moneys advanced under 17 George III., c. 53, or any Act amending the same, on the security of the revenues of the benefice.

(5) When a benefice in respect to which an Ordinary or Long Assessment has been made shall become vacant the Central Authority shall apportion to the outgoing incumbent or his executors or administrators so much of any sum that may be payable under any such assessment made as may in their opinion be just, and the amount so apportioned shall be a debt due to the Central Authority from such outgoing incumbent or his executors or administrators and recoverable at law.

(6) If the Central Authority are unable to recover such debt they may advance the money due on the security of the revenues of the benefice, and may make a charging assessment in respect of it as provided under section 38 of this Measure.

Long Assessment.

26.—(1) When any repairs are included in the report of the Surveyor as structural repairs under section 18 (1) (i) (*b*) of this Measure, not being repairs of which the cost has been otherwise provided for, and the Board shall be of opinion that the cost of them should be spread over a period longer than five years, the Board shall so inform the Central Authority, and the Central Authority shall thereupon make an assessment (in this Measure called a "Long Assessment") similar to an Ordinary Assessment under section 24 of this Measure except that the payments required shall be spread over such a period longer than five years as the Board shall think reasonable :

Provided that in the case of a report made on a first inspection, under section 17 of this Measure, no Long Assessment shall be made in respect to those structural repairs which are included in section 18 (1) (i) (*b*) as immediate structural repairs which do not admit of delay.

The annual payments required by a Long Assessment shall be a charge on the revenues of the benefice having such priority in respect to other charges as is in this Measure prescribed, and the provisions of section 25 in regard to an Ordinary Assessment and to the powers of the Central Authority shall apply with the necessary modifications and so far as applicable as though a Long Assessment were substituted for an Ordinary Assessment in that section.

(2) It shall be lawful for the Central Authority, in respect to any benefice which is eligible to receive grants form them under their charter and rules for the time being, to make such a grant as they shall think fit to the incumbent of such benefice towards the cost of the repairs to which this section relates in lieu of making a Long Assessment or in order to reduce the payments due under a Long Assessment.

(3) The Central Authority shall send a copy of any assessment made under this section to the incumbent and sequestrator (if any) of the benefice concerned, and to the Board.

Variation of Ordinary or Long Assessment.

27.—(1) If it shall appear to the Central Authority, on the representation of the Board or otherwise, that, owing to—

(i) a substantial alteration in the extent or character or value of the buildings affected, or

(ii) the granting or determination of any repairing lease, or

(iii) the execution of any repairs, or

(iv) the sale or purchase of buildings

since an Ordinary or Long Assessment shall have been made, or for any other good and sufficient reason, it may be necessary or desirable to vary such an assessment, the Central Authority shall direct the Board to obtain from the Surveyor a report showing whether any and if so what variation should be made in such assessment.

(2) The Surveyor shall thereupon report to the Board accordingly, and shall send a copy of his report to any person responsible for any payment under such assessment, or for the execution of any works, and any such person may state to the Board any objection to the report and the provisions of sections 20 and 21 in respect to objections and to the making of an order by the Board shall apply, and the Board may make such order as the case may require.

(3) If in the opinion of the Board no fresh inspection shall be necessary, the Board, after consulting any person responsible for any payment under such assessment, may make such order as the case may require.

(4) The Central Authority upon receipt of the copy of the order of the Board shall make an Amending Assessment varying the Ordinary or Long Assessment in question as in view of the order of the Board may be necessary.

(5) A copy of such Amending Assessment shall be sent by the Central Authority to any person responsible as aforesaid, and to the Board.

Provision in case assessment cancelled.

28.—(1) The Central Authority may, after consultation with the Board, if they think fit, make an order cancelling any assessment, whether Ordinary or Long, made under this Measure.

(2) If an Ordinary Assessment be cancelled or if after eighteen months from the date on which the last annual payment under an Ordinary Assessment fell due the Central Authority by reason of the lack of buildings belonging to the benefice concerned for which such an assessment is in their opinion required, shall not have made a fresh Ordinary Assessment, then if at any subsequent time the Central Authority shall make an Ordinary

Assessment relating to that benefice such assessment shall in all respects thereafter operate as though it were the first Ordinary Assessment so relating.

Ordinary Repair Account.

29. The Repair Rate paid in respect of a benefice shall be placed by the Central Authority to the credit of an account to be called "the Ordinary Repair Account of the Benefice of .....," and they shall allow interest thereon at such rate and on such terms and conditions as they may from time to time determine, and credit the same to the account. All repairs in respect whereof a Repair Rate is made shall thenceforward be deemed to be ordinary repairs for the purposes of this Measure.

Structural Repair Account.

30. Any sums paid to or lent or granted by the Central Authority in respect of the structural repairs of the buildings of a benefice and not included in a Repair Rate shall be placed by the Central Authority to the credit of an account to be called "the Structural Repair Account of the Benefice of.....," and they shall allow interest thereon at such rate and on such terms and conditions as they may from time to time determine, and credit the same to the account.

Execution of repairs.

31.—(1) It shall be the duty of an incumbent of a benefice not under sequestration to execute the repairs, including reinstatement of buildings destroyed by fire, required by any order of the Board in accordance with such order and with the provisions of this Measure and in particular within the time prescribed by the Board under those provisions.

(2) It shall also be the duty of the sequestrator of a benefice under sequestration to execute the repairs required by any order of the Board in like manner as aforesaid; and if the sequestration shall come to an end before the completion of the repairs, it shall be the duty of the incumbent to complete them.

(3) Provided always, that there shall be no obligation on the part of the sequestrator of a benefice under this section to execute any ordinary or structural repairs the cost of which exceeds the sums for the time being standing to the credit of the Ordinary Repair Account and of the Structural Repair Account of the benefice respectively; and the obligation of the incumbent to execute ordinary or structural repairs shall in like manner not exceed such sums as aforesaid with the addition of such sums (if any) as may be due from the incumbent to the Central Authority, and payable to such accounts respectively.

(4) The sequestrator may, with the consent of the Board and upon terms approved by the Board, employ an architect or a surveyor to supervise the execution of any repairs which he is required to execute by an order of the Board under this section; and he shall be entitled to recover the charges of any such architect or surveyor and other necessary expenses incurred in

connection with the execution of such repairs from the profits of the benefice.

(5)—(i) Any ordinary repairs included in a report on vacancy or sequestration on the buildings of a benefice protected by a certificate and not otherwise provided for under section 21 (3) of this Measure ; and

(ii) any structural repairs which on a first inspection are included in the report of the surveyor under section 18 (1) (i) (*b*) as being repairs admitting of delay ; and

(iii) all structural repairs included in the report on a subsequent inspection ;

shall be executed by the incumbent or sequestrator under the order of the Board when and in so far as there shall be sufficient money standing to the credit of the Ordinary Repair Account and Structural Repair Account respectively of the benefice concerned, whether received from payments made under an assessment or from grants made by any body or person, or advanced by the Central Authority as a loan on the security of the revenues of the benefice.

(6) If the incumbent of a benefice who is required under this Measure to execute repairs shall refuse or neglect to execute them, the Board may represent his default to the Bishop, and thereupon the Bishop may, if he think fit, issue sequestration of the benefice ; and it shall then be the duty of the sequestrator to execute the repairs as in this section provided.

(7) If when the Board has represented to the Bishop the default of an incumbent in respect to the execution of repairs the Bishop does not issue sequestration of the benefice, the Board may in its discretion execute such repairs or so much of them as the Board may think fit, and shall have all necessary rights of entry for that purpose.

Cost of repairs.

32.—(1) The sums standing to the credit of the Ordinary Repair Account and the Structural Repair Account respectively of a benefice shall be available for the appropriate repairs of the buildings belonging to the benefice, being repairs included in an order of the Board made under section 21 of this Measure.

(2) The Central Authority shall from time to time disburse from the Ordinary Repair and Structural Repair Accounts of a benefice the sums necessary to defray the cost of the repairs chargeable to those accounts respectively, upon the certificate of the Surveyor that the work in respect to which the sum is to be disbursed has been done to his satisfaction, every such certificate being countersigned by the incumbent of the benefice or by the sequestrator or by the Board, whichever shall have executed the repairs.

(3) When the repairs in respect to which disbursements are required have been completed, the Surveyor shall in giving his

certificate so inform the Board and the Central Authority; and if such repairs shall have not been completed by reason of the insufficiency of the money available to complete them the Surveyor shall so inform the Board and the Central Authority, and shall certify to the Central Authority the total amount required in respect to the repairs, stating separately the amount required for work already done and the amount required for work still to be done in order to complete the repairs; and upon receipt of such certificate duly countersigned as aforesaid, the Central Authority may disburse the total amount required for the work which has been done.

(4) When by reason of the default of the incumbent the execution of the repairs of buildings belonging to a benefice shall have been done under the preceding section of this Measure by the sequestrator of the benefice or by the Board, the cost of the repairs and all expenses incurred by the sequestrator or Board in executing the repairs which may be certified by the Surveyor to the Central Authority as having been incurred by reason of such default, shall be paid out of the account chargeable with such repairs in priority to any claim that the incumbent may have upon such account; and if there shall not be sufficient money standing to the credit of the account to defray expenses caused to the sequestrator or Board by the default of the incumbent, such expenses as certified by the surveyor shall be a debt due from the incumbent to the sequestrator or Board, as the case may be, and recoverable at law.

(5) Neither the Central Authority nor the Board shall incur any liability at law to any surveyor, builder, contractor, or other person, whether in respect of fees or expenses or the cost of repairs or other works or in any other respect whatsoever except the obligations imposed by the provisions of this Measure in respect to the disbursement and application of the moneys standing to the credit of the Ordinary Repair and Structural Repair Accounts, and in respect to the payment of the salaries or fees due to the surveyors by the terms of their appointment under section 12 of this Measure.

Disposal of surplus payments.

33.—(1) If after the requirements of this Measure in respect to the ordinary repairs or structural repairs of the buildings belonging to a benefice have been satisfied there shall remain any surplus to the credit of the Ordinary Repair Account or Structural Repair Account respectively of that benefice, such surplus shall be applied in one of the following ways or partly in one way and partly in another as the Central Authority may determine, that is to say—

(i) it may be used to pay the interest or repay the principal of any loan or advance which has been made to the credit of the account; or

(ii) it may be retained in the account and used to defray the cost of repairs which may subsequently become chargeable to the account; or

(iii) if the incumbent or sequestrator of the benefice, or a former incumbent, or the executors or administrators of a former incumbent, shall apply in writing to the Central Authority to have repaid to the applicant so much of the surplus as, having regard to the contributions made by such incumbent or sequestrator or former incumbent, may, in the opinion of the Central Authority, be fairly repaid, the Central Authority shall repay such sum as they may think fit to such applicant or applicants, and if there be more than one in due proportion between them.

(2) When there is a surplus available for repayment under the preceding subsection it shall be the duty of the Central Authority, so far as may reasonably be possible, to inform any person qualified to apply under the subsection, that such surplus is available.

Administrative expenses.

34.—(1) All moneys paid under an Administration Rate or otherwise provided for that purpose in respect of a benefice shall be placed by the Central Authority to the credit of the Administration Account of the Board in whose area such benefice is situated.

(2) The administrative expenses of the Central Authority shall be divided rateably between the Administration Accounts of the different Boards in proportion to the number of the benefices in the area of each Board, and the proportionate share so calculated of such expenses for each Board shall be the first charge upon the Administration Account of that Board, but shall not be in excess of the sum received from the payments made towards the administrative expenses of the Central Authority by the Administration Rates payable under section 24 (2) (iii) and section 25 of this Measure.

(3) The surplus on each Administration Account of a Board after paying the due share of the expenses of the Central Authority shall be from time to time paid over to the Board, which shall use it to defray the administrative expenses of the Board under this Measure; and the Board shall at reasonable periods, when required by the Central Authority, furnish that Authority with properly audited accounts of such administrative expenses.

Loans, Insurance and Assistance.

Loans by Central Authority to Repair Accounts.

35.—(1) If the cost of repairs chargeable to the Ordinary Repair Account of a benefice shall exceed the sum standing to the credit of that account, or if an order of the Board shall have required the execution of structural repairs the cost of which

shall exceed the sum standing to the credit of the Structural Repair Account of the benefice, the Central Authority may in their discretion advance the cost of such repairs in whole or in part, by way of loan, the interest on and repayment of which shall be a charge on the revenues of the benefice with such priority as is in this Measure prescribed; and such loan shall be repaid to the Central Authority in such number of years, not exceeding twenty-five, as the Central Authority with the consent of the Board shall decide.

(2) The Central Authority in deciding the term of any such advance shall have regard to the permanent or temporary nature of the repairs carried out, and may, if they think fit, with the consent of the Board, divide the advance and make different parts repayable within different periods. Any sum so advanced shall be paid to the Ordinary Repair Account or to the Structural Repair Account, as the case may be.

Interim repairs and loans.

36.—(1) If at any time during a quinquennial period the Board shall, after obtaining a report from the Surveyor, be of opinion that repairs to the buildings of a benefice are required without delay in order to prevent further dilapidations, and if the estimated cost of such repairs can be defrayed under the provisions of this section or otherwise, the Board may order such repairs to be executed, and the provisions of section 31 shall apply, subject to the provisions of this section in respect to defraying the cost.

(2) For the purpose of defraying the cost of repairs required to be executed under this section the sums standing to the credit of the Ordinary Repair Account of the benefice shall be available so far as in the opinion of the Central Authority the repairs to be effected are repairs chargeable to that account, and the sums standing to the credit of the Structural Repair Account shall be available so far as in the opinion of the Central Authority the repairs to be effected are structural repairs, and shall be disbursed in accordance with section 32 of this Measure; and if the amounts standing to the credit of these accounts or either of them shall in the opinion of the Central Authority be insufficient, the Central Authority may, if they think fit, advance the balance by way of loan secured on the revenues of the benefice and paid into the Ordinary or Structural Account of the benefice as the case may require.

(3) If at any time during a quinquennial period the Board (or, where there is no Board, the Rural Dean) shall certify to the Central Authority that it is expedient to disburse in respect to any benefice a sum not exceeding in any one year ten pounds, and the Central Authority shall in their discretion decide that such disbursement is expedient, they may disburse such sum accordingly without satisfying any other condition or receiving any other authorisation.

Repayment of advances.

37. The moneys advanced by the Central Authority under this Measure may at the discretion of the Central Authority be made repayable by annual instalments with interest on the principal money or by a fixed sum or sums payable yearly in the form of a terminable annuity, but the rate of interest to be charged in all computations shall not exceed one-half per centum over the interest obtainable upon Consols, such interest being calculated according to the mean market price on the day last preceding the date of the charging Assessment on which market quotations were published.

Charging the revenues of a benefice.

38.—(1) Every advance which the Central Authority are by this Measure authorised to make on the security of the revenues of a benefice shall be charged by an order of the Central Authority (in this Measure called "a Charging Assessment"), which shall be in such form as the Central Authority may from time to time prescribe, and shall set forth—

(i) the sum advanced;

(ii) the number of years for which the advance is made; and

(iii) whether the advance and the interest (if any) thereon is repayable by way of fixed annual sum in the form of a terminable annuity or otherwise;

and the provisions of the Acts contained in the First Schedule hereto and of the Acts referring to or amending the same, and of sections one and two of the Ecclesiastical Dilapidations Act, 1872, with respect to the recovery of principal and interest due under mortgages, and to be apportioning of payments in the case of death or avoidance, and to stamps and to the priority of sequestrations except as otherwise by this Measure provided, shall apply to Charging Assessments made under this Measure as if the said provisions had mutatis mutandis been repeated herein, and the provisions and authorities of the said Acts shall be exercisable either separately or concurrently with the provisions of this Measure, and the incumbent or sequestrator shall when required furnish to the Central Authority and verify as they may direct a full statement of the revenues of the benefice.

(2) Section four of the Loans (Incumbents of Benefices) Amendment Act, 1918, shall apply to a charge imposed on the revenues of a benefice in favour of the Central Authority under the provisions of this Measure as if it were a charge coming within the provisions of that section.

(3) The charge on a benefice under sequestration in respect to the stipend assigned to any clerk appointed to perform the duties attaching to the benefice and any other charge which at the passing of this Measure can be imposed according to law shall have priority of all charges imposed by this Measure.

(4) The charges on the revenues of a benefice imposed by this Measure shall have effect in the following order of priority—

First, any charge made in respect of an advance to an incumbent by the Central Authority under this Measure;

Secondly, any other charge on a benefice made under this Measure in order of its date.

(5) Any money which has arisen or may arise from the sale of any messuage, building or land belonging to or held in trust for a benefice, and repaired either wholly or in part by means of money lent by the Central Authority under this Measure may, with the consent of the Central Authority, be applied in discharge of any principal sum charged on the benefice or any of the possessions thereof in respect of the money so lent.

Insurance.

39. The Insurance Rate paid in respect of a benefice shall be placed by the Central Authority to the credit of an account to be called "The Insurance Account of the Benefice of....." and shall be employed by the Central Authority in insuring in their own names against loss or damage by fire the buildings in respect of which the same was paid in such Insurance Office of repute as may be selected by the Board, or in default of selection by the Board as the Central Authority may select.

Insurance moneys if buildings destroyed by fire.

40.—(1) If after the first annual payment of the Insurance Rate has been made, as required by an Ordinary Assessment upon a benefice under this Measure, any building to which such Assessment relates shall be destroyed or damaged by fire, and if the Insurance Office in which the building is insured shall elect to pay the money for which the building is insured instead of causing the building to be reinstated at the expense of the office, the Central Authority shall apply the insurance money to the reinstatement of the building with such alterations (if any) as the Board with the consent of the Central Authority and of the incumbent (if any) may determine.

(2) The Board may prescribe regulations with the consent of the Central Authority for executing the works necessary for any such reinstatement and for providing for the preparation, with the approval of the incumbent, of plans for rebuilding and for the remuneration of the surveyor or any architect employed and for authorising the necessary disbursements by the Central Authority and otherwise generally for the proper execution of such reinstatement.

(3) If the Insurance money shall be insufficient for such reinstatement, the Central Authority may advance any balance on the security of the revenues of the benefice for such time as they think fit. If there shall be any surplus of the insurance money, the same shall be applied by the Central Authority as money in their hands appropriated for the augmentation of the benefice.

(4) If before the first annual payment as aforesaid has been made any building belonging to a benefice shall be destroyed or damaged by fire, and such building shall not have been insured for an amount sufficient to reinstate the same, the Surveyor shall report to the Board the damage done and the excess of the cost of reinstating the building above any money due under any insurance of the building which may have been made, and such excess shall be deemed to be a debt due from the incumbent to the Central Authority under section 19 of this Measure as though it were the cost of a wilful dilapidation, and shall be recoverable at law.

Grants by Central Authority.

41. In respect to such benefices as are eligible under the regulations for the time being of the Central Authority to receive grants for augmentation from that authority, it shall be lawful for that authority to make grants for the assistance of the incumbents of such benefices in respect of any charges imposed upon them under this Measure. Such grants may be made in such a manner and subject to such conditions as the Central Authority shall think fit and either to meet a gift from other sources, or otherwise as the Central Authority may determine.

Loans by Central Authority to the Boards.

42. It shall be lawful for a Board to borrow and for the Central Authority to make such advances by way of loan as they may think necessary, and on such terms and conditions as they shall from time to time determine for the Board's administrative expenses, but the interest on such loans shall in no case exceed one-half per centum over the interest obtainable upon Consols, such interest being calculated according to the mean market price on the day last preceding the date of the loan on which market quotations were published.

Withholding and transfer of certain payments.

43.—(1) If there be any sum payable by the Central Authority to an incumbent of a benefice from whom money is due in respect to any payment required by an assessment under this Measure, the Central Authority may retain such sum or so much of it as they think fit (not being more than is due from the incumbent), and in that case the money so retained shall be reckoned in reduction of the payment due from the incumbent.

(2) The Ecclesiastical Commissioners out of any money payable by them to the incumbent of any benefice may, if they think fit, pay to the Central Authority any sum due from such incumbent to the Central Authority under this Measure.

(3) Where a retired incumbent is liable under this Measure for any sum in respect of dilapidations and is entitled to a pension payable out of the revenues of the benefice concerned, the incumbent or sequestrator for the time being shall, if required so to do by the Central Authority, pay such sum to the Central Authority out of such pension, provided that such payment shall not exceed in any one year one-half the amount of the pension without the consent of the Bishop.

Grants by Ecclesiastical Commissioners.

44. The Ecclesiastical Commissioners may out of revenues carried to their Common Fund under section sixty-seven of the Ecclesiastical Commissioners Act, 1840, or out of the funds and property from which such revenues are derived pay to the Central Authority such sums not exceeding in the whole five hundred thousand pounds at such times as the said Commissioners shall think fit, and such sums shall be applied by the Central Authority in accordance with a scheme to be prepared by that authority and approved by the said Commissioners to or towards defraying the cost of repairs ordered to be done upon first inspections under this Measure of the buildings of benefices in cases where such assistance is most required.

Invitation to Boards of Finance and Parochial Church Councils.

45.—(1) Where an incumbent of a benefice is the minister of a parish as defined in the Constitution of the National Assembly of the Church of England, a copy of any order relating to such benefice made under section 21 of this Measure and of the report of the Surveyor on which such order was founded (or instead of a copy, a summary of the purport of such order and report), and a copy of every assessment (whether Ordinary or Long) made by the Central Authority in respect of such benefice, shall be sent by the Diocesan Dilapidations Board to the Parochial Church Council (or churchwardens where there is no Council) of such parish and to the Board of Finance of the Diocese (unless the Diocesan Dilapidations Board be identical with the Board of Finance) or to such other diocesan body as in the opinion of the Bishop may be appropriate ; and the Diocesan Dilapidations Board shall enquire of such Council (or churchwardens), and of such body respectively, whether they or either of them will pay or promise to pay any money in discharge or reduction of the liabilities imposed by any order of the Board or assessment by the Central Authority of which a copy or summary has been sent to them as is in this section required.

(2) If the Council (or churchwardens) or Board of Finance or any other body or person shall pay any money (whether out of funds at their disposal or obtained by collection from the voluntary contributions of other persons) to the Central Authority in discharge or reduction of the liabilities imposed by an order of the Board, or assessments by the Central Authority, the Central Authority may receive such payments and reckon them as if received from the person responsible for such liabilities ; and if the Council (or churchwardens) or Board of Finance aforesaid or any other body or person shall promise in writing to pay money in discharge of such liabilities or of so much of them as may be still outstanding, the Central Authority may, if they think fit, with the consent of the Diocesan Dilapidations Board, postpone the operation of all remedies against the person immediately responsible for such liabilities, for a period of not exceeding twelve months, but without prejudice to such remedies after the period of postponement shall have elapsed, if the liabilities shall have not then been fully discharged.

Removals and Additions.

Superfluous buildings.

46.—(1) If a Surveyor when he is making a report under this Measure, shall be of opinion that any building belonging to a benefice is superfluous, he shall report to the Board accordingly; and an incumbent may represent to the Board that any building belonging to his benefice is superfluous; and after receiving any such report or representation, the Board may in its discretion, with the consent of the patron and incumbent, order the removal of such building and the sale of its materials.

(2) Any surplus proceeds of such removal (after all expenses have been paid) shall be paid to the Central Authority, who shall apply the same, in accordance with the provisions of section 47 of this Measure.

(3) Provided always that if in the opinion of the Surveyor the cost of the removal of a superfluous building shall be more than can be obtained by the sale of materials removed, the Board may, in its discretion (notwithstanding any previous order), make an order deferring such removal; but provided also that as from the date of such order the incumbent (subject as hereinafter provided) shall not be responsible for the maintenance of the building, nor shall it thereafter be included by a Surveyor in any dilapidation report.

(4) If after making any such last-mentioned order it shall appear to the Board that the building to which the order relates is, or is likely to become, in a dangerous condition, or if for any other reason the Board shall decide that the removal of such building is desirable, the Board, notwithstanding any previous order, may make such order either for the removal or the repair of the building as the circumstances may require.

(5) Any order made under this section may from time to time be revoked or varied by the Board as in its discretion it thinks fit; and a copy of any order for the removal or repair of any building, or for the revocation or varying of any previous order, shall be sent to the incumbent and the patron of the benefice and to the Central Authority, and (in case of sequestration) to the sequestrator.

(6) The cost of removing a superfluous building, in so far as it shall exceed the proceeds (if any) of its removal and the cost of putting any such building into a safe condition, shall (unless otherwise provided by the Board or the Central Authority) be advanced by the Central Authority as a charge on the revenues of the benefice in the manner provided by section 38 of this Measure, and with such priority in respect to other charges as is in this Measure prescribed.

Proceeds of buildings sold or removed.

47. If any buildings belonging to a benefice shall by sale or removal with the proper sanctions cease to belong to the benefice, and there shall remain any sum standing to the credit either of

the Ordinary Repair Account or the Structural Repair Account of the benefice in respect of those buildings, it shall be lawful for the Central Authority with the consent of the Board to apply such sum (or any part thereof) at their discretion for any one or more of the following purposes—

(i) the improvement of any buildings belonging to the benefice ;

(ii) the augmentation of the benefice ;

(iii) the discharge of any charge made on the revenues of the benefice by a Charging Assessment under this Measure or the payment of the interest on such charge ;

(iv) the repayment of the sum to the incumbent (or his executors or administrators) or the sequestrator by whom such sum shall have been contributed as required by this Measure.

Additions.

48.—(1) It shall not be lawful for an incumbent to make any additions to or alterations of the buildings belonging to a benefice without the sanction of the Board and the consent in writing of the patron, and if an incumbent shall make any such additions or alterations without such sanction as aforesaid it shall be lawful for the Board to order him (and notwithstanding that he may in the meantime have ceased to be the incumbent of such benefice), or his executors or administrators, to restore the buildings to the condition in which they were before such additions or alterations were made, and he, or his executors or administrators, shall upon receipt of such order, or a copy thereof, forthwith at the expense of himself or his estate restore the buildings mentioned therein as thereby directed.

(2) If such person (being incumbent, or former incumbent), or his executors or administrators, shall refuse or neglect to execute such restoration as required by the order of the Board, it shall be lawful for the Central Authority, if in their discretion they shall think it desirable so to do, to make such arrangements as they shall think proper for the execution of such restoration as so required, and the cost of such restoration shall be a debt due from such person, or his executors or administrators, to the Central Authority, and shall be recoverable as such at law.

(3) A copy of any order under this section shall be sent by the Board to the Central Authority.

Miscellaneous.

Fixtures.

49.—(1) The Surveyor, if at any time so required by the Board, shall make to the Board a report upon the fixtures and things belonging to a benefice which are in or about any buildings belonging to the benefice ; and such report shall include a complete schedule or inventory of all such fixtures and things.

(2) On the receipt of the report by the Board a copy of it shall be forthwith sent to the person who is incumbent of the benefice at the date of such receipt, or to his executors or administrators, or, if the benefice be vacant at that date, to the preceding incumbent or his executors or administrators ; and any person to whom the report is accordingly sent may state in writing to the Board any objection to the report on any ground of fact or law in regard to the ownership of the aforesaid fixtures and things or any of them.

(3) The Board after due consideration of all such objections shall transmit the report of the Surveyor to the Central Authority with such conclusions concurring with or varying from such report as the Board may think fit, and the Central Authority may thereupon make an order confirming the conclusions of the Board with such variation, if any, as the Central Authority may determine, and such order shall decide every question involved and shall be binding on the incumbent of the benefice and any other person concerned in respect to the ownership of the fixtures and things subject only to such appeal as is in this section provided.

(4) Any person aggrieved by an order of the Central Authority under this section may appeal to the County Court having jurisdiction over the place where the buildings concerned are, on any ground of fact or law relating to the ownership of the fixtures and things aforesaid ; and from the County Court a further appeal shall lie to the High Court of Justice. Every appeal under this section shall be made and pursued in accordance with rules which shall be framed by the Lord Chancellor after consultation with the Central Authority.

(5) The cost of defending any such appeal by the Board, and all expenses incurred by the Board in connection with such appeals, may be defrayed by the Board as administrative expenses out of the moneys applicable for such expenses.

Leases of glebe.

50.—(1) The provisions contained in this Measure in regard to buildings standing on the lands belonging to any benefice shall not be applicable to the buildings (if any) belonging to the benefice, which shall be comprised in any lease for years or lives entered into by an incumbent in such a form that it is binding on his successor for so long as such lease shall be subsisting, except so far as the lessee shall not, by virtue of such lease, be liable to insure, rebuild or repair such buildings ; but it shall be lawful for the Surveyor upon any inspection made by him under the provisions of this Measure to inspect the buildings comprised in any such lease, and he shall so inspect them and report to the Board if so instructed by the Board or requested by the incumbent.

(2) If it shall appear from such report that the repairs for which the lessee is responsible have not been but ought for the purposes of this Measure to be carried out, then it shall be lawful for the Board, if it thinks steps should be taken for enforcing the

lessee's covenants in that behalf, to send a copy of such report to the incumbent, and to require him forthwith to take all necessary steps for enforcing the said covenants.

(3) If the incumbent shall refuse or in the opinion of the Board wilfully neglect or delay to take such necessary steps or to prosecute the same, the Board may report the whole matter to the Central Authority, and the Central Authority may, if they think fit, in the name and on behalf of the incumbent, take or continue all necessary proceedings for enforcing the said covenants, and shall be deemed for this purpose to be the duly authorised attorneys of the incumbent, who shall leave the conduct of such proceedings in their hands, and shall keep them indemnified against all costs and expenses incurred as such attorneys, and their authority in this respect shall not be revoked by the death of the incumbent or otherwise, but shall continue for all purposes connected with the enforcement of the said covenants until the matter has in the opinion of the Central Authority been brought to a termination, and any sums due by way of indemnity as aforesaid shall be a debt due from the incumbent or his estate to the Central Authority, and shall be recoverable at law.

Timber on glebe.

51.—(1) The timber growing on the glebe land of a benefice shall not be felled without the previous consent in writing of the Board, and then only for the purpose of being actually applied in repairs to the buildings of the benefice : Provided that where it appears to the Board that the timber ought, as a matter of good management, to be felled, the Board may direct the incumbent to fell the same, and on his default may cause the same to be felled, and shall have all necessary rights of entry for that purpose.

(2) The consent of the patron or ordinary shall not be necessary for any felling in accordance with the provisions of this section.

(3) If an incumbent shall cause or permit timber belonging to his benefice to be felled otherwise than as in this section provided, such felling shall be deemed to be a wilful dilapidation within the meaning of section 19 of this Measure, and the provisions of that section shall apply with the substitution of the value of the timber as estimated by the Central Authority for the cost of making good a wilful dilapidation ; and any moneys received or recovered in respect of such estimated value shall be paid to the Central Authority.

(4) Any timber felled in accordance with the provisions of this section so far as not actually applied in repairs to the buildings of a benefice shall be sold by the incumbent or the Board (as the case may be), and after payment of the costs and expenses of the felling and sale, the balance shall be paid to the Central Authority and be carried to the credit of the

benefice, and at the discretion of the Central Authority, with the approval of the Board, shall be

(i) used towards defraying the cost of replanting timber belonging to the benefice ; or

(ii) paid to the credit of the Ordinary or Structural Repair Account of the benefice ; or

(iii) appropriated for the augmentation of the benefice.

(5) This section shall apply to timber growing in the churchyard in the same manner as to timber growing on the glebe lands, save that

(i) in subsection (1) repairs to the whole church or any part thereof shall be substituted for repairs to the buildings of the benefice ;

(ii) all moneys recoverable from any incumbent under subsection (3) or directed to be paid to the Central Authority under subsection (4) shall in like manner be recoverable by and paid to the Diocesan Authority in substitution for the Central Authority ; and

(iii) any moneys recovered or received by a Diocesan Authority under this section shall be applied by such Authority in payment of any charges lawfully incurred for the repair of the church of the parish to which the churchyard belongs.

(6) Nothing herein contained shall prejudice or affect section sixty-seven of the Act 42 Geo. III., cap. 116, or the powers given by the Act 56 Geo. III., cap. 52, of applying moneys arising from the sale of timber in the exchange or purchase of land.

Chancels.

52.—(1) As from the passing of this Measure there shall be no obligation on any incumbent to repair or insure the chancel of the church of the parish of which he is incumbent, if he be an incumbent who by reason only of his incumbency is rector of such parish or otherwise solely liable for such repair or insurance, and such chancel shall in all respects be repairable and insurable in the same manner as the remainder of such church.

(2) Any person other than such an incumbent as aforesaid who is liable as rector or otherwise for the repair of the chancel of a church may after consultation with the Parochial Church Council (if any) of the parish concerned and with the approval of the Board compound such liability by payment to the Diocesan Authority of such a sum as having regard to the condition of the chancel the Diocesan Authority may estimate as reasonably sufficient to provide for the cost of future repairs for which such person would otherwise have been liable.

(3) Provided that if the Parochial Church Council or the Board shall so require, the question of the sum to be paid in

respect of such liability or any other relevant question shall be referred by the Diocesan Authority to the Central Authority, who shall thereupon decide such question and make such order relating thereto as in their discretion may be necessary.

(4) Upon payment of the sum so determined and of all the expenses incurred by the Diocesan and Central Authority in making the estimate and otherwise in respect to the compounding, the Diocesan Authority shall give to the person compounding a receipt acknowledging such payment, and as from the giving of such receipt all liability of such person or of his estate shall cease, and the chancel shall thenceforward be repairable in the same manner as the remainder of the church.

(5) Any sum paid in compounding a liability for repairs under this section shall be invested and held on behalf of the Parochial Church Council of the parish concerned by the Diocesan Authority in any investment permitted by law for the investment of trust funds, and the yearly income arising therefrom shall be applied by the Diocesan Authority after consultation with the Parochial Church Council—

(i) in keeping the chancel, in respect to which the liabilities have been compounded, insured against loss or damage by fire, in such an amount as the Diocesan Authority shall decide to be sufficient ; or

(ii) in the payment of any charges lawfully incurred in the maintenance and repair of the church, of which the chancel aforesaid forms part, or of the churchyard belonging to such church ; or

(iii) in accumulating any residue of the said income not applied as aforesaid in any year so as to form a fund for the extraordinary repair, improvement or enlargement of the church or churchyard aforesaid :

Provided that the Diocesan Authority may at its discretion at any time apply such accumulations or any part thereof as if the same were income.

(6) When an incumbent is by reason only of his incumbency a person compounding a liability under this section, the sum contributed by such incumbent may be advanced by the Central Authority by way of charge on the revenues of the benefice of the incumbent repayable in such number of years as the Central Authority shall determine.

Repeal.

Repeal.

53.—(1) Save as herein provided the Acts specified in the Second Schedule hereto shall to the extent therein mentioned but without prejudice to any mortgage or charging order in force be repealed, except that as regards the buildings of a benefice in respect to which a survey shall have been ordered prior to

the passing of this Measure and in respect to which no certificate shall then have been registered under sections forty-six or fifty of the Ecclesiastical Dilapidations Act, 1871, such repeal shall only take effect from such time as a certificate under one or other of such sections shall be registered.

(2) In the event of a survey becoming, in the opinion of the bishop, urgently necessary in respect of the buildings of a benefice prior to the coming into effect in respect of the area in which such benefice is situate of a scheme under sections 9 or 10 of this Measure, or before the expiration of six calendar months from the passing of this Measure (whichever is the shorter period), the bishop may order a survey, and in such case the survey shall for the purposes of this repeal be deemed to have been ordered before the passing of this Measure. Save as aforesaid no sum shall be recoverable for or in respect of dilapidations in respect to any benefice to which this Measure shall be applicable otherwise than under the provisions of this Measure.

(3) All references in other Acts to the Ecclesiastical Dilapidations Act, 1871, shall be read and construed as referring to this Measure with such modifications as may be necessary having regard to the change of authority or otherwise.

(4) Provided that nothing herein contained shall operate to deprive an incumbent who shall have any claim against any previous incumbent in respect of dilapidations under the preceding Acts of any remedy to which he would have been entitled if this Measure had not passed.

SCHEDULES.

FIRST SCHEDULE.

17 Geo. III., c. 53; 21 Geo. III., c. 66; 7 Geo. IV., c. 66; 1 and 2 Vict., c. 23; 28 and 29 Vict., c. 69.

SECOND SCHEDULE.

Ecclesiastical Dilapidations Act, 1871, the whole Act except sections 25, 26, 27, 28.

Ecclesiastical Dilapidations Act, 1872, section 3.

Incumbents' Resignation Act, 1871 (Amendment), Act, 1887, section 6.

Ecclesiastical Leasing Act, 1842, section 19 (so far as regards incumbents of benefices).

THIRD SCHEDULE.

1 & 2 Vict., c. 106, ss. 126, 127, 128.

126. In any case in which the consent of the patron of any benefice shall be required to the exercise of any power given by this Act, or in which any notice shall be required by this Act to be given to the patron of any benefice, and the patronage of such benefice shall be in the Crown, the consent of the Crown to the exercise of such power shall be testified and such notice shall be given respectively in the manner hereinafter mentioned (that is to say) if such benefice shall be above the yearly value of twenty pounds in the Queen's Books, the instrument by which the power shall be exercised shall be executed by and any such notice shall be given to the Lord High Treasurer or First Lord Commissioner of the Treasury for the time being; and if such benefice shall not exceed the yearly value of twenty pounds in the Queen's Books, such instrument shall be executed by and any such notice shall be given to the Lord High Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, for the time being; and if such benefice shall be within the patronage of the Crown in right of the Duchy of Lancaster, such instrument shall be executed by and any such notice shall be

given to the Chancellor of the said Duchy for the time being; and the execution of such instrument by and any such notice given to such person or persons shall be deemed and taken for the purposes of this Act to be an execution by and a sufficient notice to the patron of the benefice.

127. In any case in which the consent of the patron of any benefice shall be required to the exercise of any power given by this Act, and the patron of such benefice shall be a minor, idiot, lunatic or feme covert, it shall be lawful for the guardian or guardians, committee or committees, or husband of such patron (but in case of a feme covert with her consent in writing) to execute the instrument by which such power shall be exercised in testimony of the consent of such patron; and such execution shall for the purposes of this Act be deemed and taken to be an execution by the patron of the benefice.

128. In any case in which the consent of the patron of any benefice shall be required to the exercise of any power given by this Act or in which any notice shall be required by this Act to be given to the patron of any benefice, and the advowson and right of patronage of such benefice shall be part of the possession of the Duchy of Cornwall, the consent of the patron of such benefice to the exercise of such power shall be testified and such notice shall be given respectively in the manner hereinafter mentioned (that is to say) the instrument by which the power shall be exercised shall be executed by and any such notice shall be given to the Duke of Cornwall for the time being, if of full age, but if such benefice shall be within the patronage of the Crown in right of the Duchy of Cornwall, such instrument shall be executed by and any such notice shall be given to the same person or person who is or are by this Act authorised to testify the consent of the Crown to the exercise of any power given by this Act in respect of any benefice in the patronage of the Crown; and the execution of such instrument by and any such notice given to such person or persons shall be deemed and taken for the purposes of this Act to be an execution by and a sufficient notice to the patron of the benefice.

No. 4.

To provide for the foundation of a Bishopric of Blackburn. [14th July, 1924.]

Short title.

1. This Measure may be cited as " The Bishopric of Blackburn Measure, 1923."

Public contributions to endowment fund.

2. The Ecclesiastical Commissioners shall receive all contributions which may be made by the public for the purposes of the endowment of a bishopric of Blackburn and carry the amount of such contributions to a fund to be called " the Blackburn Bishopric Endowment Fund." Such contributions may include any gift or bequest of real and personal property not exceeding the limits prescribed by this Measure for the endowment of the bishopric, and the powers of the donors to bestow and of the Ecclesiastical Commissioners to receive such gifts shall be the same as those enacted in the Acts of the second and third years of the reign of Queen Anne, chapter eleven, and of the Act of the forty-third year of the reign of King George the Third, chapter one hundred and seven, enabling donors to vest in the Governors of Queen Anne's Bounty for the augmentation of the maintenance of the poor clergy and for the benefit of ministers officiating in churches and chapels.

Establishment of bishopric on provision of sufficient endowment.

3. Whenever the Ecclesiastical Commissioners certify to His Majesty under their common seal, either—

(1) that the annual value of the Blackburn Bishopric Endowment Fund (when calculated in manner in this Measure mentioned) is not less than three thousand five hundred pounds a year, or

(2) that the annual value of such endowment fund, calculated as aforesaid, is not less than three thousand pounds a year, and that contributions to the fund sufficient to raise the same, within five years from the date of the certificate, up to three thousand five hundred pounds a year have been guaranteed to the satisfaction of the Commissioners.

His Majesty, by Order in Council, may found the bishopric of Blackburn, with a diocese and cathedral church, in accordance with the provisions of this Measure, and may declare the time at which the Order is to come into operation.

His Majesty may by Order in Council constitute the bishop of Blackburn a body corporate and invest the bishop with all

such rights, privileges and jurisdictions as are now possessed by any other bishop in England, or such of them as to His Majesty may seem meet.

In calculating the annual value of the Blackburn Bishopric Endowment Fund for the purposes of this Measure there shall be included—

(1) if a fitting episcopal residence has been provided by or to the satisfaction of the Ecclesiastical Commissioners, the annual value of such episcopal residence, which shall be reckoned at five hundred pounds; and

(2) the net annual income of the part of the fund actually invested, and such sum as the Commissioners think will be the net annual income of the part of the fund not actually invested at the date of the certificate; and

(3) when any contribution to the fund consists of an annual sum payable during life or other limited period, the whole of that sum, if in the opinion of the Commissioners the like annual sum will, at the termination of such life or other period, become payable as part of the fund.

Bishops to be subject to metropolitan jurisdiction.

4. The Bishop of Blackburn shall be subject to the metropolitan jurisdiction of the Archbishop of York.

Cathedral church.

5. The parish church of Blackburn, subject to the rights of the patron and incumbent of that church, shall be the cathedral church of Blackburn.

Diocese.

6. The diocese of Blackburn, when constituted, shall consist of the present archdeaconries of Lancaster and Blackburn (except the rural deanery of Rossendale), now in the diocese of Manchester.

Number of bishops in Parliament not to be increased.

7. The number of Lords Spiritual sitting and voting as Lords of Parliament shall not be increased by the foundation of the bishopric of Blackburn; and whenever there is a vacancy among such Lords Spiritual by the avoidance of any of the sees of Canterbury, York, London, Durham, or Winchester, such vacancy shall be supplied by the issue of a writ of summons to the bishop acceding to the see so avoided; and if such vacancy is caused by the avoidance of any see other than one of the five sees aforesaid, such vacancy shall be supplied by the issue of a writ of summons to that bishop of a see in England who having been longest bishop of a see in England has not previously become entitled to such writ:

Provided that when a bishop is translated from one see to another and was at the date of his translation actually sitting as a Lord of Parliament he shall not thereupon lose his right to receive a writ of summons to Parliament.

Appointment of bishop of new bishopric.

8.—(1) So long as there is not a dean and chapter of a new bishopric founded in pursuance of this Measure—

(i) The archdeacons of Lancaster and Blackburn and the canons, if any, and the honorary canons in the cathedral church of Manchester holding benefices within the area of the diocese of Blackburn shall be and shall be styled the Provisional Chapter of the said diocese ;

(ii) The senior archdeacon shall be and shall be styled the President of the Provisional Chapter of the diocese of Blackburn ;

(iii) Upon the foundation of the diocese of Blackburn and upon any subsequent avoidance of the bishopric His Majesty may grant to the Provisional Chapter thereof a licence under the Great Seal to proceed to the election of a bishop, with a letter-missive as provided by the statute of the twenty-fifth year of the reign of King Henry the Eighth, and all such proceedings shall be had as if the said Provisional Chapter were the dean and chapter pertaining to a bishopric in England founded before the passing of the Bishoprics Act, 1878 :

Provided that if honorary canonries are founded in the cathedral church of the new bishopric of Blackburn, the holders of such honorary canonries shall, together with and under the presidency of the Archdeacon mentioned in this section, constitute the Provisional Chapter in lieu of the canons and honorary canons in the cathedral church of Manchester.

(2) From and after the foundation of such dean and chapter a vacancy in that bishopric shall be filled in the same manner as a vacancy in any other bishopric in England founded before the passing of the Bishopric of St. Albans Act, 1875.

Scheme of Ecclesiastical Commissioners approved by Order in Council as to incidental arrangements for constituting diocese of Blackburn.

9. Whenever such certificate as is in this Measure mentioned has been given by the Ecclesiastical Commissioners with respect to the Blackburn Bishopric Endowment Fund, the Commissioners shall lay before His Majesty in Council for confirmation a scheme for all or any of the following matters (that is to say) :—

(1) For assigning to the bishop of Blackburn all or any such courts, offices and jurisdiction belonging to any bishop in England as it may be thought expedient to assign, and for dispensing with the confirmation or other agency of a dean and chapter in relation to any matters in which such confirmation or agency would otherwise be required, and for the custody of the spiritualities during a vacancy in the see by the Archbishop of York ; and

(2) For making such arrangements as may be thought expedient, by the creation and endowment of new archdeaconries or otherwise for the archidiaconal super-

vision of the parishes affected by the foundation of the bishopric, and for transferring any archidiaconal dignity from the cathedral church of Manchester to the cathedral church of Blackburn ; and

(3) For transferring (subject to any right enjoyed by any person at the passing of this Measure) to the bishop of Blackburn the patronage of all or some of the ecclesiastical dignities and benefices situate in the diocese of Blackburn, the patronage of which is immediately before the foundation of the bishopric vested in the bishop of Manchester ; and

(4) For enabling any archdeacon whose archdeaconry is affected by the foundation of the bishopric to reside in any place in which he is residing at the date of the scheme ; and

(5) For making such arrangements as may seem to the Ecclesiastical Commissioners requisite to preclude any officer holding office at the passing of this Measure from being prejudiced by this Measure or any Order in Council or scheme thereunder ; and

(6) For founding honorary canonries in the cathedral church of Blackburn, with power to dispense with the consent of any dean and chapter so long as there is no dean and chapter in existence for the bishopric, and to provide for the transfer to the cathedral church of Blackburn of such non-residentiary or honorary canons in the cathedral church of Manchester as on the foundation of the bishopric hold benefices in the diocese of Blackburn and consent to the transfer ; and

(7) For providing for the transfer, so soon as possible, to the registrar or other officer of the diocese of Blackburn, from the bishop's registrar or diocesan officer in possession of the same, of all terriers, tithe apportionments, maps, plans and other documents relating to the several ecclesiastical parishes situate in the diocese of Blackburn ; and

(8) For the rearrangement of the boundaries of the dioceses of Blackburn and Manchester and of any diocese contiguous to either of them, and in relation to such rearrangement for providing, in reference to archdeaconries and archdeacons, for patronage, for the transfer of non-residentiary or honorary canons, for the transfer of terriers, tithe apportionments, maps, plans and other documents relating to the several ecclesiastical parishes situate in the diocese of Blackburn ; and

(8) For the rearrangement of the boundaries of the dioceses of Blackburn and Manchester and of any diocese contiguous to either of them, and in relation to such re-

arrangement for providing, in reference to archdeaconries and archdeacons, for patronage, for the transfer of non-residentiary or honorary canons, for the transfer of terriers, tithe apportionments, maps, plans and other documents, and for such other arrangements and matters, so nearly as circumstances admit, as are authorised in relation to the bishopries of Blackburn and Manchester in reference to each other ; and

(9) For making provision, if the Commissioners deem it advisable, whereby the annual income provided under this Measure for the bishop of Blackburn may be divided into two portions, namely, a personal stipend and a fund for official expenses ; and

(10) For making such other provisions and arrangements, whether similar or not to the foregoing, as may be necessary for carrying into complete effect the foundation of the bishopric and the scheme.

Trusts of Bishopric Endowment Fund.

10.—(1) The Blackburn Bishopric Endowment Fund shall be held by the Ecclesiastical Commissioners upon the trusts following (that is to say) :—

Upon trust to provide a net annual income (including the value of any episcopal residence) of not exceeding three thousand five hundred pounds a year and subject as aforesaid upon trust for the foundation of a dean and chapter for the bishopric in such manner as may from time to time be provided by Order in Council.

(2) All annual income arising from the fund shall, until the bishopric is founded as provided by this Measure, be invested and accumulated as part of the fund ; but the Commissioners shall have full power to sell (discharged from all trusts), invest, manage, lease and otherwise deal with the fund and the property on which it may for the time being be invested in such manner as they may deem most expedient for the purposes of their trust.

(3) The Commissioners may invest the whole or any part of the fund in the purchase of land, and may hold such land without any licence in mortmain, and may from time to time, but after the appointment of the bishop, with the consent of the bishop of Blackburn for the time being, assign to the bishop and his successors as an endowment for the bishopric the lands so purchased if convenient to be held by the bishopric :

Provided that there shall not be assigned as an endowment to the bishopric, exclusive of an episcopal residence, a greater extent of land than will, after deducting the costs of management, produce as nearly as may be a net annual income of three thousand pounds.

(4) The endowment of the bishopric under this Measure shall be deemed to be for all purposes subject to the same laws

as the temporalities and endowment of any other bishopric in England.

Confirmation of scheme and validity and publication of Orders in Council.

11.—(1) It shall be lawful for His Majesty in Council to confirm a scheme laid before His Majesty in pursuance of this Measure, and a scheme made in pursuance of this Measure shall be of no effect until it has been so confirmed.

(2) An Order in Council made in pursuance of this Measure shall have effect as if it were enacted in this Measure.

(3) An Order in Council made in pursuance of this Measure shall be published in the "London Gazette," and shall as soon as practicable after the making thereof be laid before both Houses of Parliament.

Saving as to service as incumbent or curate in transferred parishes.

12. The service of any person, either before or partly before and partly after the foundation of the bishopric of Blackburn, or before or partly before and partly after a transfer is made under this Measure of an ecclesiastical parish from one diocese to another diocese as incumbent or curate in any ecclesiastical parish which, in pursuance of this Measure is constituted part of a different diocese from that of which it formed part prior to such foundation or transfer, shall, for the purpose of qualifying such incumbent or curate to be presented or nominated to any benefice in the patronage of the chapter of any cathedral or collegiate church, be deemed to be service in the diocese in which such parish is situate at the time of the foundation or transfer, or in the diocese in which such parish is situate at the date of the presentation or nomination.

Amendment of s. 13 of the Burnley Rectory Act, 1890. 53 & 54 Vict. c. cxxiii.

13. From and after the coming into operation of an Order in Council under this Measure founding the bishopric of Blackburn, section thirteen of the Burnley Rectory Act, 1890, shall have effect as if for references to the bishop of Manchester in the said section there were substituted references to the bishop of Blackburn.

Substitution of ex officio trustees.

14.—(1) Where the bishop of any other diocese or the holder of any ecclesiastical office in any other diocese is at the passing of this Measure, by virtue of his bishopric or office and not otherwise, a member of any body in whom is vested the rights of patronage in, or the legal estate of any trust property of or belonging to any parish, which after the passing of this Measure is or becomes situate within the dioceses of Manchester or Blackburn, the bishop of the diocese within which such parish is or becomes situate, or the person holding the ecclesiastical office in the said diocese corresponding to the office held by that person in such other diocese as aforesaid, as the case may be, shall, by virtue of this section and without any deed of transfer or other instrument, be substituted for the bishop or person who was immediately before the passing of this Measure a member of such body as aforesaid.

(2) In this section the expression "ecclesiastical office" includes the office of dean, archdeacon, rural dean, and chancellor or commissary, and this section shall apply to a dean and chapter in like manner as it applies to a dean.

Interpretation.

15.—(1) In this Measure the expression "ecclesiastical parish" means a parish, new parish, ecclesiastical district, or place, within the limits of which any parson has the exclusive cure of souls.

(2) The expression "England" in this Measure does not include any part of the Province of Wales.

(3) The Interpretation Act, 1889, shall apply to the interpretation of this Measure in like manner as it applies to an Act of Parliament, and as if this Measure were an Act of Parliament.

No. 5.

To provide for the Division of the Diocese of Southwell, the Foundation of a Bishopric of Derby, for the transfer of certain patronages to the Bishop of Southwell, and for purposes connected therewith

[14th July, 1924.]

Short title.

1. This Measure may be cited as "The Diocese of Southwell (Division) Measure, 1923."

Public contributions to endowment fund.

2. The Ecclesiastical Commissioners shall receive all contributions which may be made by the public for the purposes of the endowment of a bishopric of Derby, and carry the amount of such contributions to a fund to be called the "Derby Bishopric Endowment Fund." Such contributions may include any gift or bequest of real and personal property not exceeding the limits prescribed by this Measure for the endowment of the bishopric, and the powers of the donors to bestow and of the Ecclesiastical Commissioners to receive such gifts shall be the same as those enacted in the Acts of the second and third years of the reign of Queen Anne, chapter eleven, and of the Act of the forty-third year of the reign of King George the Third, chapter one hundred and seven, enabling donors to vest gifts in the Governors of Queen Anne's Bounty for the augmentation of the maintenance of the poor clergy for the benefit of ministers officiating in churches and chapels.

Establishment of bishopric on provision of sufficient endowment.

3. Whenever the Ecclesiastical Commissioners certify to His Majesty under their common seal either—

(*a*) that the annual value of the Derby bishopric endowment fund (when calculated in manner in this Measure mentioned) is not less than three thousand pounds a year; or

(*b*) that the annual value of such endowment fund, calculated as aforesaid, is not less than two thousand five hundred pounds a year, and that contributions to the fund sufficient to raise the same, within five years from the date of the certificate, up to three thousand pounds a year have been guaranteed to the satisfaction of the Commissioners;

and that in addition to the sum sufficient to produce the annual income aforesaid there has been provided a fitting episcopal

residence for the Bishop of Derby, or there is in the fund a capital sum sufficient for the purchase or provision of such a residence, His Majesty, by Order in Council, may found the bishopric of Derby, with a diocese and cathedral church, in accordance with the provisions of this Measure, and may declare the time at which the Order is to come into operation.

His Majesty may, by Order in Council, constitute the Bishop of Derby a body corporate, and invest the bishop with all such rights, privileges and jurisdictions as are now possessed by any other bishop in England, or such of them as to His Majesty may seem meet.

In calculating the annual value of the Derby Bishopric Endowment Fund for the purposes of this Measure, there shall be included—

(1) The net annual income of the part of the fund actually invested, and such sum as the Commissioners think will be the net annual income of the part of the fund not actually invested at the date of the certificate ; and

(2) When any contribution to the fund consists of an annual sum payable during life or other limited period, the whole of that sum, if in the opinion of the Commissioners the like annual sum will, at the termination of such life or other period, become payable as part of the fund.

Bishop to be subject to metropolitan jurisdiction.

4. The Bishop of Derby shall be subject to the metropolitan jurisdiction of the Archbishop of Canterbury.

Cathedral church.

5. The parish church of All Saints, Derby, subject to the rights of the patron and incumbent of that church, shall be the cathedral church of Derby.

Dioceses.

6. The diocese of Derby when constituted shall consist of the present archdeaconries of Derby and Chesterfield, now in the diocese of Southwell.

Number of bishops in Parliament not to be increased.

7. The number of Lords Spiritual sitting and voting as Lords of Parliament shall not be increased by the foundation of the bishopric of Derby ; and whenever there is a vacancy among such Lords Spiritual by the avoidance of any of the sees of Canterbury, York, London, Durham, or Winchester, such vacancy shall be supplied by the issue of a writ of summons to the bishop acceding to the see so avoided ; and if such vacancy is caused by the avoidance of any see other than one of the five sees aforesaid, such vacancy shall be supplied by the issue of a writ of summons to that bishop of a see in England who, having been longest bishop of a see in England has not previously become entitled to such writ :

Provided that where a bishop is translated from one see to another, and was at the date of his translation actually sitting as a Lord of Parliament, he shall not thereupon lose his right to receive a writ of summons to Parliament.

Appointment of bishop of new bishoprics.

8.—(1) So long as there is not a dean and chapter of a new bishopric founded in pursuance of this Measure—

(i) the archdeacons of Derby and Chesterfield and the honorary and non-residentiary canons in the cathedral church of Southwell holding benefices within the area of the diocese of Derby shall be and shall be styled the Provisional Chapter of the said diocese ;

(ii) the senior of the two archdeacons aforesaid shall be and shall be styled the President of the Provisional Chapter of the diocese of Derby.

(iii) upon the foundation of the diocese of Derby, and upon any subsequent avoidance of the bishopric, His Majesty may grant to the Provisional Chapter thereof a licence under the Great Seal to proceed to the election of a bishop with a letter-missive as provided by the statute of the twenty-fifth year of the reign of King Henry the Eighth, and all such further proceedings shall be had as if the said Provisional Chapter were the dean and chapter pertaining to a bishopric in England founded before the passing of the Bishoprics Act, 1878 :

Provided that if honorary canonries are founded in the cathedral church of the new bishopric of Derby, the holders of such honorary canonries shall together with and under the presidency of the senior archdeacon mentioned in this section constitute the Provisional Chapter in lieu of the non-residentiary and honorary canons in the cathedral church of Southwell.

(2) From and after the foundation of such dean and chapter a vacancy in that bishopric shall be filled in the same manner as a vacancy in any other bishopric in England founded before the passing of the Bishopric of St. Albans Act, 1875.

Scheme of Ecclesiastical Commissioners approved by Order in Council as to incidental arrangements for constituting diocese of Derby.

9. Whenever such certificate as is in this Measure mentioned has been given by the Ecclesiastical Commissioners with respect to the Derby Bishopric Endowment Fund, the Commissioners shall lay before His Majesty in Council for confirmation a scheme for all or any of the following matters (that is to say) :—

(1) For assigning to the bishop of Derby all or any such courts, offices and jurisdiction belonging to any bishop in England as it may be thought expedient to assign, and for dispensing with the confirmation or other agency of a dean and chapter in relation to any matters in which such confirmation or agency would otherwise be required, and for the custody of the spiritualities during a vacancy in the see by the Archbishop of Canterbury ; and

(2) For making such arrangements as may be thought expedient by the creation and endowment of new archdeaconries or otherwise for the archidiaconal super-

vision of the parishes affected by the foundation of the bishopric, and for transferring any archidiaconal dignity from the cathedral church of Southwell to the cathedral church of Derby; and

(3) For transferring (subject to any right enjoyed by any person at the passing of this Measure) to the bishop of Derby the patronage of all or some of the ecclesiastical dignities and benefices situate in the diocese of Derby, the patronage of which is immediately before the foundation of the bishopric vested in the bishop of Southwell; and

(4) For enabling any archdeacon whose archdeaconry is affected by the foundation of the bishopric to reside in any place in which he is residing at the date of the scheme, and for making such arrangements as may seem to the Ecclesiastical Commissioners requisite to preclude any officer holding office at the passing of this Measure from being prejudiced by this Measure or any Order in Council or scheme thereunder; and

(5) For founding honorary canonries in the cathedral church of Derby, with power to dispense with the consent of any dean and chapter so long as there is no dean and chapter in existence for the bishopric, and to provide for the transfer to the cathedral church of Derby of such non-residentiary or honorary canons in the cathedral church of Southwell as on the foundation of the bishopric hold benefices in the diocese of Derby, and consent to the transfer; and

(6) For providing for the transfer, so soon as possible, to the registrar, or other officer of the diocese of Derby, from the bishop's registrar or diocesan officer in possession of the same, of all terriers, tithe apportionments, maps, plans and other documents relating to the several ecclesiastical parishes situate in the diocese of Derby, and

(7) For the rearrangement of the boundaries of the dioceses of Derby and Southwell and of any diocese contiguous to either of them, and in relation to such rearrangement for providing, in reference to archdeaconries and archdeacons, for patronage, for the transfer of non-residentiary or honorary canons, for the transfer of terriers, tithe apportionments, maps, plans and other documents, and for such other arrangements and matters, so nearly as circumstances admit, as are authorised in relation to the bishoprics of Derby and Southwell in reference to each other; and

(8) For making provision, if the Commissioners deem it advisable, whereby the annual income provided under

this Measure for the Bishop of Derby may be divided into two portions, namely, a personal stipend and a fund for official expenses; and

(9) For making such other provisions and arrangements, whether similar or not to the foregoing, as may be necessary for carrying into complete effect the foundation of the bishopric and the scheme.

Trusts of Bishopric Endowment Fund.

10.—(1) The Derby Bishopric Endowment Fund shall be held by the Ecclesiastical Commissioners upon the trusts following (that is to say):—

Upon trust to provide a net annual income not exceeding three thousand pounds a year and a fitting residence for the bishop of Derby, and subject as aforesaid upon trust for the foundation of a dean and chapter for the bishopric in such manner as may from time to time be provided by Order in Council.

(2) The annual income arising from the fund shall, until the bishopric is founded as provided by this Measure, be paid, up to a yearly sum of one thousand pounds, to the bishop of the suffragan see of Derby at present in the diocese of Southwell, but, save as aforesaid, shall be invested and accumulated as part of the fund; but the Commissioners shall have full power to sell (discharged from all trusts), invest, manage, lease and otherwise deal with the fund and the property on which it may for the time being be invested in such manner as they may deem most expedient for the purposes of their trust.

(3) The Commissioners may invest the whole or any part of the fund in the purchase of land, and may hold such land without any licence in mortmain, and may from time to time, but after the appointment of the bishop, with the consent of the bishop of Derby for the time being, assign to the bishop and his successors as an endowment for the bishopric the lands so purchased, if convenient, to be held by the bishopric:

Provided that there shall not be assigned as an endowment to the bishopric, exclusive of an episcopal residence, a greater extent of land than will, after deducting the costs of management, produce as nearly as may be a net annual income of three thousand pounds.

(4) The endowment of the bishopric under this Measure shall, subject to the provisions of this Measure, be deemed to be for all purposes subject to the same laws as the temporalities and endowment of any other bishopric in England.

Confirmation of scheme and validity and publication of Orders in Council.

11.—(1) It shall be lawful for His Majesty in Council to confirm a scheme laid before His Majesty in pursuance of this Measure, and a scheme made in pursuance of this Measure shall be of no effect until it has been so confirmed.

(2) An Order in Council made in pursuance of this Measure shall have effect as if it were enacted in this Measure.

(3) An Order in Council made in pursuance of this Measure shall be published in the "London Gazette," and shall as soon as practicable after the making thereof be laid before both Houses of Parliament.

Saving as to service as incumbent or curate in transferred parishes.

12. The service of any person, either before or partly before, and partly after the foundation of the bishopric of Derby, or before or partly before and partly after a transfer is made under this Measure of an ecclesiastical parish from one diocese to another diocese as incumbent or curate in any ecclesiastical parish which, in pursuance of this Measure, is constituted part of a different diocese from that of which it formed part prior to such foundation or transfer, shall, for the purpose of qualifying such incumbent or curate to be presented or nominated to any benefice in the patronage of the chapter of any cathedral or collegiate church, be deemed to be service in the diocese in which such parish is situate at the time of the foundation or transfer, or in the diocese in which such parish is situate at the date of the presentation or nomination.

Transfer of certain patronage from bishops of Ripon and Manchester.

13.—(1) As from the passing of this Measure the patronage of all benefices formerly in the patronage of the prebendaries of the collegiate church of Southwell, and the patronage of all benefices with cure of souls formerly possessed by the chapter of the said collegiate church which were respectively transferred to and are still vested in the Bishops of Ripon and Manchester by virtue of section forty-one of the Ecclesiastical Commissioners Act, 1840, and section twelve of the Ecclesiastical Commissioners Act, 1841, shall be transferred from the bishop of Ripon and the bishop of Manchester and be vested in the bishop of Southwell in like manner and subject to the same conditions as they were held and exercised by the bishops of Ripon and Manchester immediately before the passing of this Measure.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Interpretation.

14.—(1) In this Measure the expression "ecclesiastical parish" means a parish, new parish, ecclesiastical district, or place, within the limits of which any parson has the exclusive cure of souls.

(2) The expression "England" in this Measure does not include any part of the Province of Wales.

(3) The Interpretation Act, 1889, shall apply to the interpretation of this Measure in like manner as it applies to an Act of Parliament, and as if this Measure were an Act of Parliament.

SCHEDULE.

3 & 4 Vict. c. 113.	The Ecclesiastical Commissioners Act, 1840.	In section forty-one the words "that " with respect to benefices in the " patronage of the prebendaries " of the collegiate church of " Southwell, the same shall so " soon as conveniently may be " and by the authority herein- " after provided be transferred so " as to become vested as the pre- " bends fall in respectively partly " in the Bishop of Ripon, and " partly in the Bishop of Man- " chester in such proportion as " shall be determined on; and " that upon the vacancy of any " such last-mentioned benefice " before the patronage thereof " shall have been so transferred " as aforesaid it shall be lawful " for the Bishop of Ripon for the " time being to present thereto."
4 & 5 Vict. c. 39.	The Ecclesiastical Commissioners Act, 1841.	In section twelve the words " and " the patronage of all benefices " with cure of souls possessed by " the said chapter shall be trans- " ferred to and vested partly in " the Bishop of Ripon and partly " in the Bishop of Manchester " subject to the same provisions " as are in the said second recited " Act contained with respect to " benefices in the patronage of " the prebendaries of the said " collegiate church."

No. 6.

To provide for the division of the Diocese of Winchester, and for the Foundation of Bishoprics of Portsmouth and of Guildford.

[1st August, 1924.]

Short title.

1. This Measure may be cited as " The Diocese of Winchester (Division) Measure, 1923."

Public contributions to endowment funds.

2. The Ecclesiastical Commissioners shall receive all contributions which may be made by the public for the purposes of the endowment of the bishoprics of Portsmouth and of Guildford, and carry the respective amounts of such contributions to two funds to be called respectively " the Portsmouth Bishopric Endowment Fund," and " the Guildford Bishopric Endowment Fund." Such contributions may include any gift or bequest of real and personal property not exceeding the limits prescribed by this Measure for the endowment fund of each bishopric; and the powers of donors to bestow and of the Ecclesiastical Commissioners to receive such gifts shall be the same as those enacted in the Act of the second and third years of the reign of Queen Anne, chapter eleven, and of the Act of the forty-third year of the reign of King George the Third, chapter one hundred and seven, enabling donors to vest gifts in the Governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy for the benefit of ministers officiating in churches and chapels.

Contribution to endowment funds from bishopric of Winchester.

3. Subject to the rights enjoyed by any person at the passing of this Measure, there shall, after the foundation of the new bishoprics of Portsmouth and Guildford respectively, be paid from the endowment or income of the bishopric of Winchester to each of the endowment funds of the bishoprics of Portsmouth and of Guildford by equal quarterly instalments the sum of eight hundred pounds a year.

Trusts of bishopric endowment funds.

4. The income or endowment of the bishopric of Winchester and the endowment funds of the bishoprics of Portsmouth and Guildford shall be held by the Ecclesiastical Commissioners upon the trusts following, that is to say, upon trust to provide a net annual income of not less in the case of the bishoprics of Portsmouth and Guildford than the amounts prescribed by this Measure with respect to each of those bishoprics respectively, and not exceeding in the case of the bishopric of Winchester the sum of five thousand five hundred pounds a year, and in the

case of the bishopric of Portsmouth the sum of three thousand five hundred pounds a year, and in the case of the bishopric of Guildford the sum of three thousand two hundred and fifty pounds a year, and in the case of each of the said bishoprics a fitting residence for the bishop, and subject as aforesaid upon trust for the foundation of a dean and chapter for each of the two bishoprics of Portsmouth and Guildford in such manner as may be from time to time provided by Order in Council.

Establishment of bishoprics on provision of sufficient endowment.

5. Whenever the Ecclesiastical Commissioners certify to His Majesty under their common seal, with respect to the Portsmouth Bishopric Endowment Fund or the Guildford Bishopric Endowment Fund respectively, either :—

(1) that the annual value of such endowment fund together with the annual sum which will be payable in pursuance of this Measure from the endowment or income of the bishopric of Winchester (when calculated in manner in this Measure mentioned) is not less in the case of Portsmouth than three thousand three hundred pounds a year and of Guildford than three thousand and fifty pounds a year ; or

(2) that the annual value of such endowment fund together with the annual sum which will be payable in pursuance of this Measure from the endowment or income of the bishopric of Winchester (when calculated in manner in this Measure mentioned) is not less than such respective sum as aforesaid less three hundred pounds a year, and that contributions to such fund sufficient to raise the same within five years from the date of the certificate up to such respective sum as aforesaid have been guaranteed to the satisfaction of the Commissioners ;

His Majesty, by Order in Council, may found such new bishopric with a diocese and cathedral church as provided in accordance with this Measure, and may declare the time at which such Order founding such bishopric is to come into operation.

His Majesty, by the same or any other Order in Council, may constitute the bishop of such bishopric a body corporate, and invest the bishop with all such rights, privileges and jurisdictions as are now possessed by any other bishop in England, or such of them as to His Majesty may seem meet.

In calculating the annual value of an endowment fund for the purposes of this section, there shall be included—

(1) If a fitting episcopal residence has been provided by or to the satisfaction of the Ecclesiastical Commissioners, the annual value of such episcopal residence, which shall be reckoned at three hundred pounds ; and

(2) The net annual income of the part of the endowment fund actually invested, and such sum as the Commissioners

think will be the net annual income of the part of the endowment fund not actually invested at the date of the certificate; and

(3) Where any contribution to the endowment fund consists of an annual sum payable during life or other limited period the whole of that sum, if in the opinion of the Commissioners the like annual sum will, at the termination of such life or other period, become payable as part of the endowment fund.

Any annual sum which will be ultimately derived in pursuance of this Measure from the bishopric of Winchester shall be reckoned for the purposes of this section at the net annual sum directed by this Measure to be paid from the endowment or income of that bishopric, if no deduction were made for first-fruits and tenths, and shall be calculated whether the annual sum is or is not for the time being actually payable to the bishopric of Portsmouth, or the bishopric of Guildford, as the case may be.

Bishops to be subject to metropolitan jurisdiction.

6. The Bishops of Portsmouth and of Guildford shall be subject to the metropolitan jurisdiction of the Archbishop of Canterbury.

Cathedral churches.

7. Such church at Portsmouth and such church at Guildford as may in each case be determined by His Majesty in Council, after consultation with the Ecclesiastical Commissioners, shall, subject to the rights of the patrons and incumbents thereof, be the cathedral churches of Portsmouth and of Guildford respectively.

Dioceses.

8. The dioceses of Portsmouth and of Guildford, when constituted, shall consist of the areas specified in Parts I. and II. respectively of the Schedule to this Measure.

The number of bishops sitting in Parliament not to be increased.

9. The number of Lords Spiritual sitting and voting as Lords of Parliament shall not be increased by the foundation of a new bishopric in pursuance of this Measure; and whenever there is a vacancy among such Lords Spiritual by the avoidance of any of the sees of Canterbury, York, London, Durham, or Winchester, such vacancy shall be supplied by the issue of a writ of summons to the bishop acceding to the see so avoided; and if such vacancy is caused by the avoidance of any see other than one of the five sees aforesaid, such vacancy shall be supplied by the issue of a writ of summons to that bishop of a see in England who, having been longest bishop of a see in England, has not previously become entitled to such writ:

Provided, that where a bishop is translated from one see to another, and was at the date of his translation actually sitting as a Lord of Parliament, he shall not thereupon lose his right to receive a writ of summons to Parliament.

Appointment of bishops of new bishoprics.

10.—(1) So long as there is not a Dean and Chapter of a new bishopric founded in pursuance of this Measure—

(i) the Archdeacon of the Isle of Wight and any other archdeacons, if there be any, and the canons, if any, and the honorary canons in the cathedral church of Winchester holding benefices within the area of the diocese of Portsmouth shall be and shall be styled the Provisional Chapter of the said diocese, and the Archdeacon of Surrey and the canons, if any, and the honorary canons in the cathedral church of Winchester holding benefices within the area of the diocese of Guildford shall be and shall be styled the Provisional Chapter of the said diocese;

(ii) the senior archdeacon of the diocese of Portsmouth shall be and shall be styled the President of the Provisional Chapter of the diocese of Portsmouth, and the senior archdeacon of the diocese of Guildford shall be and shall be styled President of the Provisional Chapter of the diocese of Guildford;

(iii) upon the foundation of either of the dioceses of Portsmouth or Guildford, and upon any subsequent avoidance of either of these bishoprics respectively, His Majesty may grant to the Provisional Chapter thereof a licence under the Great Seal to proceed to the election of a bishop with a letter-missive as provided by the statute of the twenty-fifth year of the reign of King Henry the Eighth, and all such further proceedings shall be had as if the said Provisional Chapter were the Dean and Chapter pertaining to a bishopric in England founded before the passing of the Bishoprics Act, 1878:

Provided that if honorary canonries are founded in the cathedral church of either of the new bishoprics of Portsmouth or Guildford, the holders of such honorary canonries shall, together with and under the presidency of the Archdeacon mentioned in this section, constitute the Provisional Chapter in lieu of the canons and honorary canons in the cathedral church of Winchester.

(2) From and after the foundation of such Dean and Chapter a vacancy in that bishopric shall be filled in the same manner as a vacancy in any other bishopric in England founded before the passing of the Bishopric of St. Albans Act, 1875.

Scheme of Ecclesiastical Commissioners approved by

11. Whenever such certificate as is in this Measure mentioned has been given by the Ecclesiastical Commissioners with respect to the endowment fund of a new bishopric, the Ecclesiastical Commissioners shall lay before His Majesty in Council

Order in Council as to courts, offices of archdeaconries, and other incidental arrangements for constituting new bishopric.

for confirmation a scheme for all or any of the following matters in relation to that bishopric ; namely :—

(1) For assigning to the bishop of that bishopric all or any such courts, officers, and jurisdiction belonging to any bishop in England as it may be thought expedient to assign, and for dispensing with the confirmation or other agency of a dean and chapter in relation to any matters in which such confirmation or agency would otherwise be required, and for the custody of the spiritualities during a vacancy in the see by the Archbishop of Canterbury ; and

(2) For making such arrangements as may be thought expedient by the creation and endowment of new archdeaconries or otherwise, for the archidiaconal supervision of the parishes affected by the foundation of the bishopric, and for transferring any archidiaconal dignity from the cathedral church of Winchester to the cathedral church of the new bishopric ; and

(3) For transferring (subject to any right enjoyed by any person at the passing of this Measure) to the bishop of the new bishopric the patronage of all or some of the ecclesiastical dignities and benefices situate in his diocese, the patronage of which is immediately before the foundation of the new bishopric vested in the Bishop of Winchester and the Dean and Chapter of Winchester ; and

(4) For making payable out of the endowment or income of the bishopric of Winchester such annual sums as are directed by this Measure to be paid to the Portsmouth Bishopric Endowment Fund and the Guildford Bishopric Endowment Fund respectively, subject to the payment of a proportionate part of the tenths and first-fruits payable by the Bishop of Winchester ; and

(5) For making provision whereby the annual income provided or retained under this Measure for the Bishops of Winchester, Portsmouth and Guildford may be divided into two portions, namely, a personal stipend fund and a fund for official expenses ; and

(6) For enabling any archdeacon whose archdeaconry is affected by the foundation of the new bishopric to reside in any place in which he is residing at the date of the scheme, and for making such arrangements as may seem to the Ecclesiastical Commissioners requisite to preclude any officer holding office at the date of the passing of this Measure from being prejudiced by this Measure or any Order in Council or scheme made thereunder ; and

(7) For founding honorary canonries in the cathedral church of the new bishopric, with power to dispense with the

consent of any dean and chapter so long as there is no such dean and chapter in existence for that bishopric, and to provide for the transfer to the cathedral church of the new bishopric of such non-residentiary or honorary canons in the cathedral church of Winchester as on the foundation of the new bishopric hold benefices in the diocese of the new bishopric and consent to the transfer ; and

(8) For providing for the transfer, so soon as practicable, to the registrar or other officer of the diocese of the new bishopric, from the bishop's registrar or diocesan officer in possession of the same, of all terriers, tithe apportionments, maps, plans and other documents relating to the several ecclesiastical parishes situate in the diocese of the new bishopric ; and

(9) For the rearrangement of the boundaries of the dioceses of Portsmouth, Guildford and Winchester, and of any diocese contiguous to either of them, and in relation to such rearrangement for providing in reference to archdeaconries and archdeacons, for patronage, for the transfer of non-residentiary or honorary canons, for the the transfer of terriers, tithe apportionments, maps, plans and other documents, and for such other arrangements and matters, so nearly as circumstances admit, as are authorised in relation to the bishoprics of Portsmouth and Guildford in reference to each other ;

(10) For making such other provisions and arrangements, whether similar or not to the foregoing, as may be necessary for carrying into complete effect the foundation of the new bishoprics and the scheme relating thereto.

Value of residence for Winchester.

12. If a fitting episcopal residence has been provided by or to the satisfaction of the Ecclesiastical Commissioners for the use of the Bishop of Winchester, the annual value thereof shall, for the purposes of calculating the annual value of the income or endowment of the bishopric of Winchester, be reckoned at four hundred pounds.

Further provisions as to endowment funds.

13. All annual income arising from an endowment fund under this Measure shall, until the bishopric is founded as provided by this Measure, be invested and accumulated as part of the endowment fund, but the Ecclesiastical Commissioners shall have full power to sell (discharged from all trusts), invest, manage, lease, and otherwise deal with the fund and the property on which it may for the time being be invested, in such manner as they may deem most expedient for the purposes of their trust.

The Ecclesiastical Commissioners may invest the whole or any part of the endowment fund under this Measure in the purchase of land, and may hold such land without any licence in mortmain, and may from time to time, but after the appoint-

ment of a bishop with the consent of the bishop for the time being of the bishopric, assign to such bishop and his successors, as an endowment for the bishopric, the lands so purchased, if convenient to be held by such bishopric.

The endowment of a bishopric under this Measure shall, subject to the provisions of this Measure, be deemed to be for all purposes subject to the same laws as the temporalities and endowment of any other bishopric in England.

As to Farnham Castle.

14.—(1) Before the Orders in Council founding the bishoprics of Portsmouth and Guildford come into operation, the Farnham Castle Committee hereinafter mentioned shall frame a scheme for the future use and disposal of Farnham Castle and Farnham Park, and the scheme so framed shall be subject to the approval of the Ecclesiastical Commissioners, and when so approved shall be laid by the Commissioners before His Majesty in Council for confirmation.

(2) The provisions of this Measure as to the validity and publication of and the laying before Parliament of Orders in Council shall apply to an Order in Council confirming a scheme framed under this section.

(3) A scheme under this section may provide for the sale of Farnham Castle and Farnham Park or any part of the castle and park, or for the continued use thereof for purposes connected with the Church of England :

Provided that—

(i) the scheme shall have effect, subject to the rights enjoyed by any person at the passing of this Measure ; and

(ii) if the scheme provides that Farnham Castle is to continue to be used for purposes connected with the Church of England, the Castle shall be transferred to and vested in the Diocesan Board of Finance for the diocese of Guildford as soon as the said Diocesan Board is constituted, and the said Diocesan Board shall thenceforth be responsible for its maintenance and up-keep (including insurance) in accordance with the provisions of the scheme.

(4) The Bishop of Winchester and the members of the Diocesan Conference of the diocese of Winchester who represent on that conference the area specified in paragraph 2 of Part II. of the Schedule to this Measure shall, for the purposes of this section, be the Farnham Castle Committee.

(5) The proceeds of the sale (if any) of Farnham Castle or Farnham Park shall, after deducting any expenses arising in connection with the scheme or the said sale, be vested in the Ecclesiastical Commissioners and be held by them in equal portions for the purposes of the endowment funds of the bishoprics of Portsmouth and of Guildford.

(6) For the purposes of any sale or transfer under this section Farnham Castle or Farnham Park or any part of the castle or park which is to be sold or transferred shall be deemed to be vested in the Ecclesiastical Commissioners without the execution of any conveyance by the Bishop of Winchester.

Confirmation of scheme and validity and publication of Orders in Council.

15. It shall be lawful for His Majesty, by Order in Council, to confirm a scheme laid before His Majesty in pursuance of this Measure, and a scheme made in pursuance of this Measure shall be of no effect until it has been so confirmed.

An Order in Council made in pursuance of this Measure shall have effect as if it were enacted in this Measure.

An Order in Council made in pursuance of this Measure shall be published in the "London Gazette" and shall, as soon as practicable after the making thereof, be laid before both Houses of Parliament.

Saving as to service as incumbent or curate in transferred parishes.

16. The service of any person, either before, or partly before and partly after the foundation of a new bishopric in pursuance of this Measure, or before or partly before and partly after any transfer is made in pursuance of this Measure, of an ecclesiastical parish from one diocese to another diocese, as incumbent or curate in any ecclesiastical parish which, in pursuance of this Measure is constituted part of a different diocese from that of which it formed part prior to such foundation or transfer, shall, for the purpose of qualifying such incumbent or curate to be presented or nominated to any benefice in the patronage of the chapter of any cathedral or collegiate church, be deemed to be service in the diocese in which such parish is situate at the time of the foundation or transfer, or in the diocese in which such parish is situate at the date of the presentation or nomination.

Interpretation.

17.—(1) In this Measure the expression "ecclesiastical parish" means a parish, new parish, ecclesiastical district, or place within the limits of which any parson has the exclusive cure of souls.

(2) The expression "England" in this Measure does not include any part of the Province of Wales.

(3) The Interpretation Act, 1889, shall apply to the interpretation of this Measure in like manner as it applies to an Act of Parliament and as if this Measure were an Act of Parliament.

SCHEDULE.

Proposals for New Bishoprics.

I.—*Bishopric of Portsmouth.*

1. The bishop to be Bishop of Portsmouth.

2. The diocese to consist of the archdeaconry of the Isle of Wight, the rural deaneries of Portsmouth, Alverstoke, Havant, Petersfield (except the ecclesiastical parishes of Grayshott and Headley), and Bishops Waltham (except the ecclesiastical parishes of Bishopstoke, Bursledon, Eastleigh, Fair Oak, and Hedge End), and the ecclesiastical parish of Blackmoor, now in the diocese of Winchester.

II.—*Bishopric of Guildford.*

1. The bishop to be Bishop of Guildford.

2. The diocese to consist of the archdeaconry of Surrey and the ecclesiastical parishes of Aldershot, Aldershot Holy Trinity, Ash with Ash Vale, Cove, Crondall, Crookham, Ewshott, Farnborough, Farnborough St. Mark, Fleet, Hawley, Minley, Yateley. Grayshott and Headley, now in the diocese of Winchester.

THE

LAW REPORTS

MEASURES

PASSED BY

The National Assembly of the Church of England in 1920 and 1921.

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MEASURE

PASSED BY

The National Assembly of the Church of England.

[10 and 11 Geo. 5.]

No. 1.

Declaring the power of each of the Convocations of Canterbury and York to amend the constitution of the Lower House thereof. [23rd December 1920.]

WHEREAS by the constitution of the National Assembly of the Church of England as defined in the Church of England Assembly (Powers) Act 1919 it is provided that the said Assembly shall before entering on any other legislative business make further provision for the self-government of the Church by passing through the Assembly (inter alia) a measure declaring that the Convocations of Canterbury and York have power by Canon lawfully passed and promulged to amend the constitution of the Lower Houses thereof:

Power of Convocations to reform the constitution of their Lower Houses.

1. It is hereby declared that the Convocation of each of the said Provinces has power with His Majesty's Royal Assent and Licence to make promulge and execute Canons for the amendment of the constitution of the Lower House thereof.

Short title.

2. This Measure may be cited as the Convocations of the Clergy Measure 1920.

MEASURES

PASSED BY

The National Assembly of the Church of England.

[11 and 12 Geo. 5.]

No. 1.

To confer powers on Parochial Church Councils and to amend the law relating to the parochial organisation of the Church of England and for other purposes connected therewith.

[1st July 1921.]

WHEREAS by the Constitution of the National Assembly of the Church of England as defined in the Church of England Assembly (Powers) Act 1919 it is provided (amongst other things) that the said Assembly shall before entering on any other legislative business make further provision for the self-government of the Church by passing through the Assembly Measures inter alia for conferring on the Parochial Church Councils constituted under the Schedule to such Constitution such powers as the Assembly may determine.

Definitions.

1. In this Measure—

The " Church Assembly " means the National Assembly of the Church of England constituted in accordance with the Constitution set forth in the Appendix to the Addresses presented to His Majesty by the Convocations of Canterbury and York on the 10th day of May 1919 and laid before both Houses of Parliament (hereinafter referred to as " the Constitution ") ;

" Council " means a Parochial Church Council constituted in accordance with the Constitution ;

The expressions " Parish " and " Diocesan Conference " have the same meaning as in the Constitution and the expression " Diocesan Conference " shall include any committee or committees of the Conference appointed for any of the purposes of this Measure ;

The expression " Diocesan Authority " means the Diocesan Board of Finance or any existing or future

body appointed by the Diocesan Conference to act as Trustees of Diocesan trust property ;

The expression " Incumbent " means a Rector Vicar or Perpetual Curate of a parish or the Curate in charge of a parish ;

The expression " Benefice " comprehends all rectories with cure of souls vicarages perpetual curacies endowed public chapels and parochial chapelries and chapelries or districts belonging or reputed to belong or annexed or reputed to be annexed to any church or chapel and districts formed for ecclesiastical purposes by virtue of statutory authority and includes benefices in the patronage of the Crown or of the Duchy of Cornwall but does not extend to any of His Majesty's Royal Chapels or to any Royal peculiar nor to any cathedral or capitular preferment or dignity nor to any chapel belonging to any college school hospital inn of court asylum or public or charitable institution nor to any private chapel.

General functions of Council.

2. It shall be the primary duty of the Council in every parish to co-operate with the Incumbent in the initiation conduct and development of Church work both within the parish and outside.

Council to be a body corporate.

3. Every Council shall be a body corporate by the name of the Parochial Church Council of the parish for which they are appointed and shall have perpetual succession Any act of the Council may be signified by an instrument executed at a meeting of the Council and under the hands or if an instrument under seal is required under the hands and seals of the chairman presiding at the meeting and two other members of the Council.

Powers transferred to Council.

4.—(1) From the commencement of this Measure there shall be transferred to the Council of every parish—

(i) All powers duties and liabilities of the Vestry of such parish relating to the affairs of the Church except as regards the election of churchwardens and sidesmen and as regards the administration of ecclesiastical charities but including the power of presentation to the benefice of such parish if the right to present thereto is vested in or in trust for the parishioners and the power of making any voluntary Church rate.

(ii) All powers duties and liabilities of the churchwardens of such parish relating to—

(*a*) The financial affairs of the Church including the collection and administration of all moneys which may be raised for Church purposes and the keeping of accounts in relation to such affairs and moneys ;

(*b*) The care maintenance preservation and insurance of the fabric of the church and the goods and ornaments thereof ;

(*c*) The care and maintenance of the churchyard (including a closed churchyard) with all rights now possessed by the churchwardens to recover from the overseers the cost of maintaining a closed churchyard :

Provided that nothing herein contained shall affect the property of the churchwardens in the goods and ornaments of the church or their powers duties and liabilities with respect to visitations.

(iii) All powers duties and liabilities of the Church Trustees (if any) for the parish appointed under the Compulsory Church Rate Abolition Act 1868.

(2) All enactments in any Act whether general or local or personal relating to any powers duties or liabilities transferred by this Measure to the Council from the Vestry churchwardens or church trustees as the case may be shall subject to the provisions of this Measure and so far as circumstances admit be construed as if any reference therein to the Vestry or the churchwardens or church trustees referred to the Council to which such powers duties or liabilities are transferred by this Measure and the said enactments shall be construed with such modifications as may be necessary for carrying this Measure into effect.

(3)—(i) This Measure shall not affect any enactment in any private or local Act of Parliament under the authority of which church rates may be made or levied in lieu of or in consideration of the extinguishment or of the appropriation to any other purpose of any tithes customary payments or other property or charge upon property which tithes payments property or charge previously to the passing of such Act had been appropriated by law to ecclesiastical purposes or in consideration of the abolition of tithes in any place or upon any contract made or for good or valuable consideration given and every such enactment shall continue in force in the same manner as if this Measure had not been passed.

(ii) For the purposes of this section "ecclesiastical purposes" shall mean the building rebuilding enlargement and repair of any church or chapel and any purpose to which by common or ecclesiastical law a church rate is applicable or any of such purposes.

Powers of Council.

5. The Council of every parish shall have power to acquire (whether by way of gift or otherwise) any property real or personal for any ecclesiastical purpose affecting the parish or any part thereof with power to manage and administer any such property :

Provided that—

(i) The power to acquire any such property shall (save in the case of chattels personal) be subject to the consent of the Diocesan Authority and the legal interest in any such property (except chattels personal) shall be vested in the Diocesan Authority of the diocese in which the parish is situate subject to all trusts debts and liabilities affecting the same and all persons concerned shall and are hereby required to make or concur in making such transfers (if any) as are requisite for giving effect to this enactment.

(ii) The power of letting for more than one year and of sale and exchange of any such property (other than chattels personal) and the power of taking legal proceedings shall not be exercised without the consent of the Diocesan Authority.

(iii) The accounts of all trusts administered by the Council shall be laid before the Diocesan Authority annually.

Other powers of Council.

6. The Council of every parish shall have the following powers in addition to any powers conferred by the Constitution or otherwise by this Measure :—

(i) Power to frame an annual budget of moneys required for the maintenance of the work of the Church in the parish and otherwise and to take such steps as they think necessary for the raising collecting and allocating of such moneys.

(ii) Power to make levy and collect a voluntary Church rate for any purpose connected with the affairs of the Church including the administrative expenses of the Council and the costs of any legal proceedings.

(iii) Power jointly with the Incumbent to appoint and dismiss the parish clerk and sexton or any persons performing or assisting to perform the duties of parish clerk or sexton and to determine their salaries and the conditions of the tenure of their offices or of their employment but subject to the rights of any persons holding the said offices at the date of the commencement of this Measure.

(iv) Power jointly with the Incumbent to determine the objects to which all moneys to be given or collected in Church shall be allocated subject to the directions contained in the Book of Common Prayer as to the disposal of money given at the offertory.

(v) Power to make representations to the Bishop with regard to any matter affecting the welfare of the Church in the parish.

Provisions as to Ecclesiastical Charities.

7.—(1) When the governing body of any parochial charity which is an ecclesiastical charity does not include any persons appointed by the Council of any parish affected thereby the Council of such parish may appoint additional members of such governing body not exceeding the number allowed by the Charity Commissioners in each case who shall hold office for such period not exceeding five years as the Council shall direct.

(2) For the purposes of this section the expression "parochial charity" means a charity the benefits whereof are confined to inhabitants of a single parish but not so as to include rights of patronage vested in trustees by or under any Act of Parliament or scheme or under any decree or order of Court or under any private trust.

(3) The accounts of all parochial ecclesiastical charities shall be laid before the Council of every parish affected thereby.

Council to keep accounts.

8. Subject and in addition to the provisions of Section III paragraph 4 of the Schedule to the Constitution every Council shall furnish to the annual Church Meeting an account made up to the 31st December immediately preceding such Meeting setting out the Council's income and expenditure during the year together with a statement of the funds and property if any remaining in their hands at the date of the account Such account and statement having been duly audited shall together with a report upon the fabric goods and ornaments of the church be submitted for approval at such Meeting or at any adjournment thereof and the said account and statement if

approved shall be signed by the chairman of the Meeting and shall be forthwith published and affixed on or near the principal door of the church and any other conspicuous place or places in the parish at the discretion of the Council.

Rules of procedure of Council.

9. The Rules of Procedure set forth in the Schedule to this Measure shall apply to all Councils except so far as the same may be varied by any Council with the consent of a central authority appointed for that purpose by the Church Assembly or until such central authority shall have been appointed with the consent of the Diocesan Conference Subject as aforesaid every Council may from time to time make bye-laws regulating their own procedure so that such bye-laws be not inconsistent with this Measure or with the Constitution or with any rules made by the Bishop for carrying this Measure into effect or with any rules hereafter made by the Church Assembly.

Standing Committee of Council.

10. The chairman of the Council and the churchwardens of the parish if members of the Council shall be the Standing Committee of the Council and shall have power to transact the business of the Council between the meetings thereof subject to any directions given by the Council Provided that the Council may by resolution appoint annually other members to serve on the Standing Committee in addition to the chairman of the Council and churchwardens.

Powers of vice-chairman.

11. During the vacancy of the benefice and when the chairman is incapacitated by absence or illness or any other cause the vice-chairman of the Council shall act as chairman and have all the powers vested in the chairman.

Validity of proceedings.

12. No proceedings of any Council shall be invalidated by any vacancy in the membership of the Council or by any defect in the qualification or election of any member thereof.

Election of churchwardens.

13. In any parish in which one or more of the churchwardens have been hitherto elected by the Vestry such churchwarden or churchwardens shall be elected by the Vestry and the Parochial Church Meeting sitting together for this purpose Such meeting shall be convened as if it were a Vestry Meeting and be held under the same conditions as to chairmanship voting and demand of a poll as a Vestry Meeting except that every person qualified to vote at such meeting shall be entitled to one vote only (other than the chairman's casting vote) on any question voted on at such meeting or at a poll held in connection therewith The cost of a poll demanded by a candidate shall be borne by him.

Election of sidesmen.

14. The sidesmen of the parish shall be elected annually by the Parochial Church Meeting and the Incumbent and shall have all the rights duties and liabilities heretofore belonging to sidesmen by virtue of their office.

Qualifications of churchwardens sidesmen and members of Council.

15.—(1) Without prejudice to existing qualifications any person who is eligible to the Council shall be eligible as churchwarden No person whose name is not on the electoral roll shall be eligible as sidesman but all persons whose names are on the electoral roll shall be eligible.

(2) Without prejudice to any ground on which a churchwarden or sidesman may be disqualified or removed under the existing law a person shall be disqualified from being elected or being a churchwarden or sidesman or a member of a Council if a conviction order or finding becomes or has at any time become conclusive against him which if he were a clergyman would render him incapable of holding preferment under Section 1 of the Clergy Discipline Act 1892.

Powers of Bishop.

16.—(1) If any difficulty arises with respect to the summoning holding or conduct of a meeting of the Council for which provision is not made in this Measure or by the Constitution or in the event of a Council and an Incumbent being unable to agree as to any matter in which their joint action is required the Bishop may give such directions as may appear to him to be necessary.

(2) The Bishop may subject to the provisions of this Measure and the Constitution make rules for carrying this Measure into effect within the diocese and for regulating all matters not dealt with by the Constitution relating to the preparation of the electoral roll.

(3) If any act required by this Measure to be done by any person is not done within such time as the Bishop may consider reasonable it may be done by or under the authority of the Bishop.

Short title and extent.

17.—(1) This Measure may be cited as the Parochial Church Councils (Powers) Measure 1921.

(2) This Measure shall not extend to Scotland or Ireland or to such portions of Wales and Monmouthshire as are subject to the provisions of the Welsh Church Act 1914.

SCHEDULE.

RULES OF PROCEDURE.

Meetings of Council.

1. The Council shall hold not less than four meetings in each year Meetings shall be convened by the chairman and if not more than four meetings are held they shall be at quarterly intervals so far as possible.

Power to call meetings.

2. The chairman may at any time convene a meeting of the Council If he refuse or neglect to do so within seven days after a requisition for that purpose signed by not less than one-third of the members of the Council has been presented to him those members may forthwith convene a meeting.

Notice of meeting.

3. Except as provided in Rule 7 at least ten clear days before any meeting of the Council notice thereof specifying the time and place of the intended meeting and signed by or on behalf of the chairman of the Council or the persons convening the meeting shall be posted at or near the principal door of the Parish Church.

Notice of motions.

4. Notices of motions may be sent in writing to the secretary by any member of the Council at any time Not less than seven days before the meeting a notice thereof specifying the time and place of the meeting signed by or on behalf of the secretary shall be sent to every member of the Council Such notice shall contain the agenda of the meeting including any motion of which notice has been received by the secretary.

Quorum and agenda.

5. No business shall be transacted at any meeting of the Council unless at least one-third of the full number of members are present thereat and no business which is not specified in the agenda shall be transacted at any meeting except by the consent of three-quarters of the members present at the meeting.

Order of business.

6. The business of a meeting of the Council shall be transacted in the order set forth in the agenda unless the Council by resolution otherwise determine.

Short notice for emergency meetings.

7. In case of sudden emergency and other special circumstances requiring immediate action by the Council a meeting may be convened by the chairman at not less than three days' notice in writing to the members of the Council but the quorum for the transaction of any business at such meetings shall be a

majority of the then existing members of the Council and no business shall be transacted at such meeting except such as is specified in the notice convening the meeting.

Place of meeting.

8. The meetings of the Council shall be held at such place in the parish as the Council may direct or in the absence of such direction as the chairman may direct.

Vote of majority to decide.

9. Subject to the foregoing Rules any motion proposed by any member of the Council present at a meeting shall be submitted to the meeting and shall be decided by a majority of votes of the members present and voting thereon.

Casting vote.

10. In case of an equal division of votes the chairman of the meeting shall have a second or casting vote.

Minutes.

11. The names of the members present at any meeting of the Council shall be recorded in the minutes and the names of those voting on each question on which a division is taken if the members composing either the majority or the minority so require shall be recorded so as to show how the vote of each member was given Provided nevertheless that the vote on any question shall be by ballot if the meeting so decide.

Adjournments

12. Any meeting of the Council may adjourn its proceedings to such time as may be determined at such meeting and to any place authorised under Rule 8.

Secretary of Council.

13. The Council may appoint one of their number to act as secretary of the Council without remuneration If no member is appointed so to act the Council shall appoint some other fit person with such remuneration (if any) as they shall think fit The secretary shall have charge of the electoral roll and of all documents relating to current business of the Council He shall be responsible for keeping the minutes shall record all resolutions passed by the Council and shall keep the secretary of the Diocesan Conference informed as to his address.

Treasurer of Council.

14. The Council may appoint one or more of their number to act as treasurer solely or jointly without remuneration and failing such appointment the churchwardens if members of the Council shall act jointly as treasurers.

Power to appoint committees.

15. The Council may appoint committees for the purpose of the various branches of Church work in the parish and may include therein persons who are not members of the Council The Incumbent shall be a member of all committees ex officio.

Interpretation.

16. Any question arising on the interpretation of these Rules shall be referred to the Bishop of the diocese and any decision given by him or by any person appointed by him on his behalf shall be final.

No. 2.

To amend the Ecclesiastical Commissioners Act 1840.

[28th July 1921.]

3 & 4 Vict. c. 113, s. 67.

1. The purposes to which the revenues carried to the Common Fund of the Ecclesiastical Commissioners pursuant to the sixty-seventh section of the Ecclesiastical Commissioners Act 1840 and the properties and investments from which such revenues arise may be applied shall include the provision in accordance with any scheme or regulations from time to time established or to be established by the said Commissioners of pensions for clergymen of any class or classes whether beneficed or unbeneficed who are disabled by age or infirmity for the due performance of the duties of the preferments or offices which they are holding or have held in the Church within the Provinces of Canterbury and York.

Short title.

2. This Measure may be cited as the Ecclesiastical Commissioners Measure 1921.

No. 3.

To continue the operation of the Union of Benefices Act 1919 for a further period of two years.

[17th August 1921.]

WHEREAS by Section 20 subsection (3) of the Union of Benefices Act 1919 it is provided that no commission shall be issued under that Act after the thirty-first day of December nineteen hundred and twenty-one :

And whereas it is expedient to extend the time so limited for a further period of two years :

Continuance of the Act.

1. The words "nineteen hundred and twenty-three" shall be substituted for the words "nineteen hundred and twenty-one" in Section 20 subsection (3) of the Union of Benefices Act 1919.

Short title.

2. This Measure may be cited as the Union of Benefices Measure 1921.

1921.

TABLE

SHOWING THE EFFECT ON THE

PUBLIC GENERAL ACTS OF THE LEGISLATION

PASSED IN THE ELEVENTH AND TWELFTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH;

BEING THE

THIRD AND FOURTH SESSION OF THE THIRTY-FIRST PARLIAMENT

OF THE

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A TABLE

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 11 & 12 GEO. 5.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
14 Car. 2. c. 3 -	Act for ordering the Forces in the several Counties of the Kingdom.	Rep. in part - - -	37, Sch. II.
15 Car. 2. c. 4 -	Additional Act for the better ordering the Forces in the several Counties of this Kingdom.	Repealed - - - -	37, Sch. II.
19 Geo. 3. c. 44	Nonconformist Relief -	S. 1 rep. in part - -	37, Sch. II.
37 Geo. 3. c. 25	Militia (Tower Hamlets) -	Repealed - - - -	37, Sch. II.
42 Geo. 3. c. 68	Yeomanry (Ireland) -	Repealed - - - -	37, Sch. II.
42 Geo. 3. c. 72	Militia Stannaries - -	Repealed - - - -	37, Sch. II.
42 Geo. 3. c. 90	Militia - - - - -	Rep. in part - - -	37, Sch. II.
42 Geo. 3. c. 91	Militia (Scotland) - -	Rep. in part - - -	37, Sch. II
43 Geo. 3. c. 10	Militia (Exemption of Religious Teachers).	Repealed - - - -	37, Sch. II
43 Geo. 3. c. 50	Militia - - - - -	Repealed - - - -	37, Sch. II.
43 Geo. 3. c. 89	Militia (Scotland) - -	S. 21 rep. - - - -	37, Sch. II.
43 Geo. 3. c. 100	Militia (Scotland) (No. 2)	Repealed - - - -	37, Sch. II.
44 Geo. 3. c. 54	Yeomanry - - -	Repealed - - - -	37, Sch. II.
44 Geo. 3. c. 94	Yeomanry Accounts -	Repealed - - - -	37, Sch. II.
49 Geo. 3. c. 120	Militia (Ireland) - -	Rep. in part - - -	37, Sch. II.
52 Geo. 3. c. 38	Local Militia (England) -	Repealed - - - -	37, Sch. II.
52 Geo. 3. c. 68	Local Militia (Scotland) -	Repealed - - - -	37, Sch. II.
52 Geo. 3. c. 105	Militia Returns - -	Repealed - - - -	37, Sch. II.
52 Geo. 3. c. 116	Local Militia (Exemption)	Repealed - - - -	37, Sch. II.
52 Geo. 3. c. 155	Places of Religious Worship.	S. 9 rep. - - - -	37, Sch. II.

* Acts continued annually by the Expiring Law Continuance Act are not mentioned in this Table.

x [13.4.22] (82)17644(17267) Wt P 181—62 3750 5/22

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
53 Geo. 3. c. 28	Local Militia (England)	Repealed	37, Sch. II.
53 Geo. 3. c. 29	Local Militia (Scotland)	Repealed	37, Sch. II
53 Geo. 3. c. 48	Local Militia (Ireland)	S. 2 rep.	37, Sch. II.
55 Geo. 3. c. 65	Militia (Medical Examination	S. 8 rep.	37, Sch. II.
56 Geo. 3. c. 39	Yeomanry Training	Repealed	37, Sch. II.
57 Geo. 3. c. 44	Yeomanry	Repealed	37, Sch. II.
1 Geo. 4. c. 100	Militia (City of London)	Rep. in part	37, Sch. II.
7 Geo. 4. c. 58	Yeomanry	Repealed	37, Sch. II.
11 Geo. 4. and 1 Will. 4. c. 68.	Carriers	S. 1 rep. in part, and am.; s. 2 am.; s. 11 added.	55, Sch. VI.
2 & 3 Vict. c. 93	County Police	S. 10 rep. in part	37, Sch. II.
2 & 3 Vict. c. 94	Act for regulating the Police in the City of London	Ss. 11 & 12 rep.; s. 13 rep. in part; s. 87 rep.	31, Sch. IV.
3 & 4 Vict. c. 84	Metropolitan Police Courts	S. 10 rep.	37, Sch. II.
4 & 5 Vict. c. 38	School Sites	Ss. 17, 18 extended	51, s. 165.
5 Vict. c. 5	Court of Chancery	Repealed with exception of ss. 4, 17.	56, s. 5 (6).
5 & 6 Vict. c. 55	Railway Regulation	S. 20 rep. in part	37, Sch. II.
7 & 8 Vict. c. 85	Railway Regulation	S. 12 rep. in part	37, Sch. II.
8 & 9 Vict. c. 20	Railways Clauses	Ss. 3, 98 am.; s. 98 (2) added.	55, Sch. VI.
8 & 9 Vict. c. 33	Railway Clauses (S.)	Ss. 3, 91 am.; s. 91 (2) added.	55, Sch. VI.
8 & 9 Vict. c. 83	Poor Law (Scotland)	Virt. am.; s. 68 virt. am.; s. 89 ext. and virt. am.	64, ss. 1–2.
8 & 9 Vict. c. 109	Gaming	S. 13 rep. in part	42, s. 19.
9 & 10 Vict. c. 101.	Public Money Drainage	S. 37 rep. with respect to S.	58, Sch. C.
11 & 12 Vict. c. 92.	Fisheries (Ireland)	Ss. 10, 13, 21, 23, Sch. am.	38, s. 1.
15 & 16 Vict. c. 50.	Militia	Repealed	37, Sch. II.
16 & 17 Vict. c. 73.	Naval Volunteers	S. 8 rep. in part	37, Sch. II.
16 & 17 Vict. c. 137 to 57 & 58 Vict. c. 35.	Charitable Trusts	Extended with mods. as to sale, leasing and exchange of lands.	51, s. 115.
17 & 18 Vict. c. 31.	Railway and Canal Traffic	S. 7 am.	55, Sch. VI.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
17 & 18 Vict. c. 105.	Militia Law (Amendment)	Repealed	37, Sch. II.
17 & 18 Vict. c. 106.	Militia (Scotland)	Repealed	37, Sch. II.
17 & 18 Vict. c. 107.	Militia (Ireland)	Repealed	37, Sch. II.
18 & 19 Vict. c. 57.	Militia	Repealed	37, Sch. II.
19 & 20 Vict. c. 83.	Coast-Guard Service	S. 7 restricted	39, s. 3.
20 & 21 Vict. c. 11.	Militia (Ireland)	Repealed	37, Sch. II.
21 & 22 Vict. c. 90.	Medical	S. 35 rep. in part	37, Sch. II.
22 Vict. c. 26	Superannuation	S. 10 am.	56, s. 2 (1) (*c*).
22 & 23 Vict. c. 32.	County and Borough Police.	S. 22 am.	31, s. 22 (4).
22 & 23 Vict. c. 40.	Royal Naval Reserve (Volunteer).	S. 7 rep. in part	37, Sch. II.
23 & 24 Vict. c. 94.	Militia (Storehouses)	Repealed	37, Sch. II.
23 & 24 Vict. c. 116.	County Coroners	Amended	30, s. 1 (2).
23 & 24 Vict. c. 120.	Militia (Ballot)	Repealed	37, Sch. II.
24 & 25 Vict. c. 84.	Trusts (S.)	Repealed	58, Sch. C.
25 & 26 Vict. c. 4	Officers' Commissions	S. 1 rep. in part	37, Sch. II.
25 & 26 Vict. c. 22.	Revenue	Am. [*but see Terms*]; s. 37 am.	32, s. 13.
26 & 27 Vict. c. 65.	Volunteer	Ss. 5, 8 rep. in part; s. 41, Sch. part (iv) rep.	37, Sch. II.
26 & 27 Vict. c. 73.	India Stock Certificate	S. 4 rep. with respect to S.	58, Sch. C.
26 & 27 Vict. c. 92.	Railway Clauses	S. 31 rep.	55, Sch. VI.
26 & 27 Vict. c. 114.	Salmon Fisheries (Ireland)	S. 26 am.	38, s. 1.
27 & 28 Vict. c. 114.	Improvement of Land	Ss 60, 61 rep. with mods.	58, Sch. C.
28 & 29 Vict. c. 35.	Police (Superannuation)	S. 7 am.	31, s. 22 (4

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
28 & 29 Vict. c. 46.	Militia (Ballot Suspension)	Repealed	37, Sch. II.
28 & 29 Vict. c. 73.	Naval and Marine Pay and Pensions.	Virt. am.	39, s. 1 (1).
28 & 29 Vict. c. 78.	Mortgage Debenture	S. 40 rep. with mods.	58, Sch. C.
28 & 29 Vict. c. 121.	Salmon and Freshwater Fisheries.	Ss. 21, 24, 33, Sch. am.	38, s. 1.
29 & 30 Vict. c. 39.	Exchequer and Audit Departments.	Ss. 23, 28, 34, 39, Sch. A. amended; s. 7 rep. [*but see Terms*]; ss. 8, 9, 27, 29, 30, 33, 35, 36, 38, 40, Sch. B. rep.; ss. 22, 32 rep. in part.	52, ss. 6, 9, Sch. II.
30 & 31 Vict. c. 97.	Trusts (S.)	Repealed	58, Sch. C.
31 & 32 Vict. c. 84.	Entail Amendment (S.)	S. 17 rep.	58, Sch. C.
31 & 32 Vict. c. 119.	Regulation of Railways	S. 34 am.	55, Sch. VI.
32 & 33 Vict. c. 14.	Revenue	S. 19 (3) restricted	32, s. 10 (1).
32 & 33 Vict. c. 80.	Militia (Ireland)	Repealed	37, Sch. II.
33 & 34 Vict. c. 18.	Metropolitan Poor Amendment.	S. 1 (3) am.	67, s. 1 (1).
33 & 34 Vict. c. 23.	Forfeiture	Virt. am.	39, s. 2.
33 & 34 Vict. c. 67.	Reserve Forces	S. 21 rep.	37, Sch. II.
33 & 34 Vict. c. 71.	National Debt	Ss. 54, 61 am. S. 29 rep. with mods.	32, s. 49. 58, Sch. C.
33 & 34 Vict. c. 75.	Elementary Education	Rep. in part	51, s. 172.
33 & 34 Vict. c. 77.	Juries	Sch. rep. in part	37, Sch. II.
33 & 34 Vict. c. 96.	Appropriation	S. 6 rep. in part	37, Sch. II.
34 & 35 Vict. c. 27.	Debenture Stock	Repealed	58, Sch. C.
34 & 35 Vict. c. 86.	Regulation of the Forces	Ss. 6, 19 rep. in part Affected	37, Sch. II. 59, s. 1 (2).
35 & 36 Vict. c. 67.	Greenwich Hospital	S. 4 amended, and rep. in part.	41, s. 1.
36 & 37 Vict. c. 48.	Regulation of Railways	Ss. 14, 15 rep. with mods.	55, Sch. IX.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
36 & 37 Vict. c. 86.	Elementary Education	Repealed	51, s. 172.
37 Vict. c. 94	City of London Police	Repealed	31, Sch. IV.
37 & 38 Vict. c. 39.	Elementary Education	Repealed	51, s. 172.
38 & 39 Vict. c. 25.	Public Stores	Ss. 8, 13 rep. in part	37, Sch. II.
38 & 39 Vict. c. 55.	Public Health	S. 234 (2) & (3) restricted	51, ss. 132 (2), 166.
		S. 157 restricted	67, s. 6 (2).
38 & 39 Vict. c. 83.	Local Loans	S. 12 applied with mods.	67, s. 2 (1).
39 & 40 Vict. c. 36.	Customs Consolidation	Ss. 9, 13 rep. in part	5, s. 3 (4), Sch.
		Ss. 30, 31 am. and applied	16, s. 1 (2).
		S. 42 ext.	32, s. 20, Sch. V.; 37, Sch. II.; 47, ss. 10 (2), 11.
39 & 40 Vict. c. 79.	Elementary Education	Repealed	51, s. 172.
40 & 41 Vict. c. 2.	Treasury Bills	S. 6 restr.	3, s. 3 (2); 46, s. 2 (2); 63, s. 2 (2).
40 & 41 Vict. c. 59.	Colonial Stock	S. 12 rep. with mods.	58, Sch. C.
40 & 41 Vict. c. 60.	Canal Boats	S. 6 rep.; s. 14 rep. in part	51, s. 172.
41 & 42 Vict. c. 33.	Dentists	Ss. 6, 7, 12 (3), 13, 14, 40 am.	21, ss. 6 (1), 8, 11, 12, 13, Sch. II.
		Ss. 3, 4, 11 (2) (5), 15, 17, 29, 30, 32, 33 rep.; ss. 2, 5, 36 rep. in part.	37, Sch. II.
41 & 42 Vict. c. 52.	Public Health (Ireland)	S. 238 (3) temp. rep.	67, s. 8 (2) (*a*).
42 & 43 Vict. c. 6.	District Auditors	Sch. I. amended	32, s. 61 (1).
42 & 43 Vict. c. 21.	Customs and Inland Revenue.	S. 6 restricted	32, s. 17.
		S. 8 am. and ext.	47, s. 12 (2).
42 & 43 Vict. c. 30.	Sale of Food and Drugs	S. 6 repealed [*but see substituted enactment*].	42, s. 10.
42 & 43 Vict. c. 78.	Supreme Court of Judicature (Officers).	Ss. 17, 20, 23, 24, 25 restricted.	56, ss. 2 (3), 6 (2).
43 & 44 Vict. c. 8.	Isle of Man Loans	S. 7 rep. with mods.	58, Sch. C.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
43 & 44 Vict. c. 23.	Elementary Education -	Repealed - - - -	51, s. 172.
43 & 44 Vict. c. 24.	Spirits - - - -	S. 5 (1) am.; s. 123 (5) restricted; s. 135 (6) rep.	32, ss. 14 (4), 15 (1), Sch. V.
44 & 45 Vict. c. 58.	Army - - - -	Ss. 13 (1) (*a*), (*b*), 18 (4), 19, 46 (2) (*b*), 46A (1), (2), 92 (3), 108A (1), 115 (7), (8), 145, 175 (3), (3A), (5 (6), (10), 176 (5), (6), (6A), (7), (8), 180 (2) (*d*), 181 (4), (6), 190 (9), (12), (13), Sch. II (Part I.) amended. S. 46 (5) rep.	9, ss. 4 to 10, 37, Sch. I.
45 & 46 Vict. c. 37.	Corn Returns - - -	Ss. 5, 8, 9 (6) am. - -	35, s. 2.
45 & 46 Vict. c. 38.	Settled Land - - -	S. 21 ext. - - - -	20, s. 2.
45 & 46 Vict. c. 48.	Reserve Forces - -	Ss. 8 to 10, 11 (3), rep. - Ss. 11 (1), 12 (1), (2), 13, 14 (1), 15, 16, 17, 18 (1), (2), 19, 20 (1), (3), 23, 24, 28, 29 (3), (4) rep. in part.	37, Sch. II.
45 & 46 Vict. c. 49.	Militia - - - -	Ss. 3 to 28, 37 to 47, 49 (1) to (4), 51, Sch. III. rep.; s. 49 (5) rep. in part.	37, Sch. II.
45 & 46 Vict. c. 50.	Municipal Corporations -	Amended [*but see Terms*] -	51, s. 123 (2).
46 & 47 Vict. c. 34.	Cheap Trains - - -	Ss. 2 (1), (2), 3 (1) (*a*), 5, 8 am.; s. 4 rep.	32, s. 6 (1), Sch. V.
47 & 48 Vict. c. 55.	Pensions and Yeomanry -	Rep. with regard to Yeomanry.	37, Sch. II.
47 & 48 Vict. c. 61.	Supreme Court of Judicature.	S. 20 restricted - - -	56, s. 2 (3).
47 & 48 Vict. c. 63.	Trusts (S.) Amendment -	Repealed - - - -	58, Sch. C.
47 & 48 Vict. c. 75.	Canal Boats - - -	Ss. 5, 6 repealed - -	51, s. 172.
48 & 49 Vict. c. 25.	East India Unclaimed Stock.	S. 23 (3) rep. with mods. -	58, Sch. C.
49 & 50 Vict. c. 48.	Medical - - - -	S. 23 am.; s. 26 rep. in part.	21, s. 6 (4), Sch. II.
50 & 51 Vict. c. 9.	Police Disabilities Removal	S. 3 rep. - - - -	34, s. 1 (2).
50 & 51 Vict. c. 18.	Trusts (S.) Act, 1867, Amendment.	Repealed - - - -	58, Sch. C.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
51 & 52 Vict. c. 25.	Railway and Canal Traffic	S. 25 rep. in part with mods.; ss. 26, 31, 33, 34 rep. with mods.	55, Sch. IX.
51 & 52 Vict. c. 31.	National Defence - -	S. 2 rep. - - - -	37, Sch. II.
51 & 52 Vict. c. 41.	Local Government - -	S. 59 (1) rep. in part - -	23, s. 6; 37, Sch. II.
		Ss. 24, 87 (1), (5) applied -	51, ss. 132, 157.
		Ss. 69, 120 appl. with mods.	55, Sch. III. (5).
52 & 53 Vict. c. 31.	Army and Navy Audit -	Repealed - - - -	52, Sch. II.
52 & 53 Vict. c. 39.	Judicial Factors (S.) -	Ss. 18, 19 rep. - - -	58, Sch. C.
52 & 53 Vict. c. 42.	Revenue - - - -	S. 29 rep. - - - -	32, Sch. V.
52 & 53 Vict. c. 49.	Arbitration - - -	Applied with mods. [*but see Terms*].	55, s. 9 (5).
52 & 53 Vict c. 127.	City of London Police Superannuation.	Ss. 2 to 8, 10, 13, 14 rep. -	31, Sch. IV
53 & 54 Vict. c. 8.	Customs and Inland Revenues.	S. 8 (2) applied - - -	32, s. 3 (2).
53 & 54 Vict. c. 21.	Inland Revenue Regulation.	S. 8 rep. in part - -	37, Sch. II.
53 & 54 Vict. c. 45.	Police - - - -	Ss. 1 to 22 (inclusive), 30 to 32 (inclusive), 35, 36, Sch. I. rep.	31, Sch. IV.
53 & 54 Vict. c. 59.	Public Health Acts Amendment.	S. 3 applied - - -	27, s. 3.
53 & 54 Vict. c. 67.	Police (Scotland) - -	Ss. 1, 2, 4 to 24 (inclusive), 25 (1) and (2), 27 to 29 (inclusive), 31, 32, Sch. I. repealed.	31, Sch. IV.
53 & 54 Vict. c. 70.	Housing of the Working Classes.	S. 67 applied with mods. -	19, s. 7.
54 & 55 Vict. c. 34.	Local Authorities Loans (S.).	Ss. 41 (3), 44 rep. - -	58, Sch. C.
54 & 55 Vict. c. 39.	Stamp - - - -	Ss. 44, 121 am. - - -	32, s. 60.
54 & 55 Vict. c. 44.	Trusts (S.) Amendment -	Repealed - - - -	58, Sch. C.
54 & 55 Vict. c. 61.	Schools for Science and Art.	Repealed - - - -	51, s. 172.
54 & 55 Vict. c. 73.	Mortmain and Charitable Uses.	Restricted - - -	51, s. 117 (1).
54 & 55 Vict. c. 76.	Public Health (London) -	S. 108 (2) (*b*) (*c*) applied -	23, s. 7.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
55 & 56 Vict. c. 11.	Mortmain and Charitable Uses Act Amendment.	Restricted	51, s. 117 (1).
55 & 56 Vict. c. 43.	Military Lands	S. 19 rep.	37, Sch. II.
56 Vict. c. 10	Police	Ss. 1, 2 (3), 3 to 8 (inclusive) rep.	31, Sch. IV.
56 & 57 Vict. c. 42.	Elementary Education (Blind and Deaf Children).	Repealed	51, s. 172.
56 & 57 Vict. c. 73.	Local Government	S. 72 applied; ss. 85 to 88 applied with mods.	44, s. 2 (3), 51, Sch. II.
57 & 58 Vict. c. 7.	City of London Police Superannuation.	Repealed	31, Sch. IV.
57 & 58 Vict. c. 54.	Railway and Canal Traffic	Ss. 1, 3 rep. with mods.; s. 4 rep.	55, Sch. IX.
57 & 58 Vict. c. 60.	Merchant Shipping	Parts I. & VIII. amended and applied with mods.	28, s. 1.
59 & 60 Vict. c. 25.	Friendly Societies	S. 43 (1) rep. in part	37, Sch. II.
59 & 60 Vict. c. 28.	Finance	S. 20 restricted; s. 32 am.	32, ss. 44, 64.
59 & 60 Vict. c. 48.	Light Railways	Amended; ss. 1 (1), (3), (4), (5), (6), (7), 4, 6, 7 (5), (6), 8, 9 (2), (5), (6), rep.; ss. 5, 9, 15, 22 rep. in part; ss. 11, 24 amended.	55, ss. 68 (1), 70 (2), 73 (1), Sch. IX.
60 Vict. c. 8.	Trusts (S.)	Repealed	58, Sch. C.
60 & 61 Vict. c. 5.	Voluntary Schools	Repealed	51, s. 172.
61 & 62 Vict. c. 25.	Reserve Forces and Militia	S. 2 rep.	37, Sch. II.
61 & 62 Vict. c. 46.	Revenue	S. 15 am.	32, s. 21.
62 & 63 Vict. c. 32.	Elementary Education (Defective and Epileptic Children).	Repealed	51, s. 172.
62 & 63 Vict. c. 33.	Board of Education	Ss. 3, 4 repealed	51, s. 172.
61 & 62 Vict. c. 42.	Trusts (S.)	Repealed	58, Sch. C.
62 & 63 Vict. c. 44.	Small Dwellings Acquisition.	S. 1 virt. am.; s. 1 (3) rep.	19, s. 5, Sch.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
63 & 64 Vict. c. 7.	Finance	S. 14 ext.	32, s. 43.
63 & 64 Vict. c. 42.	Reserve Forces	S. 2 rep.	37, Sch. II.
63 & 64 Vict. c. 53.	Elementary Education	Repealed	51, s. 172.
63 & 64 Vict. c. 62.	Colonial Stock	S. 2 rep. with mods.; s. 3 rep.	58, Sch. C.
1 Edw. 7, c. 14	Militia and Yeomanry	Repealed	37, Sch. II.
1 Edw. 7. c. 22	Factory and Workshop	S. 134 rep. in part	51, s. 172.
1 Edw. 7. c. 36	Light Railways Commissioners (Salaries).	Repealed	55, Sch. IX.
2 Edw. 7. c. 7	Finance	S. 8 (1) restricted	32, s. 15 (1).
2 Edw. 7. c. 39	Militia and Yeomanry	Repealed	37, Sch. II.
2 Edw. 7. c. 42	Education	Repealed	51, s. 172.
3 Edw. 7. c. 24	Education (London)	Repealed, except Sch. I., para. 9.	51, s. 172.
3 Edw. 7. c. 25	Licensing (S.)	Ss. 35 (proviso), 56, 63 rep.; ss. 16, 34, 35, 37, 44, 45 and Sch. VI. amended.	42, s. 21 (1) (*h*) and (*i*).
3 Edw. 7. c. 45	Employment of Children	Repealed with mods.	51, s. 172.
4 Edw. 7. c. 15	Prevention of Cruelty to Children.	Repealed with mods.	51, s. 172.
4 Edw. 7. c. 18	Education (Local Authority Default).	Repealed	51, s. 172.
4 Edw. 7. c. 21	Capital Expenditure (Money).	Amended	57, s. 1 (4).
6 Edw. 7. c. 7	Police (Superannuation)	Repealed	31, Sch. IV.
6 Edw. 7. c. 20	Revenue	S. 1 am.	32, s. 15 (2).
6 Edw. 7. c. 57	Education (Provision of Meals).	Repealed	51, s. 172.
7 Edw. 7. c. 9	Territorial and Reserve Forces.	Amended [*but see Terms*]; s. 34 rep.	37, ss. 1, 2, Sch. II.
7 Edw. 7. c. 43	Education(Administrative Provisions).	Repealed with mods.	51, s. 172.
7 Edw. 7. c. 47	Deceased Wife's Sister's Marriage.	Ss. 1, 3, 4, 5 am.	24, s. 1.
8 Edw. 7. c. 5	Police (Superannuation)	Repealed	31, Sch. IV.
8 Edw. 7. c. 16	Finance	S. 6 (3) am.	32, s. 62.
8 Edw. 7. c. 48	Post Office	S. 43 rep. in part	37, Sch. II.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
8 Edw. 7. c. 67	Children - - - -	Ss. 56, 58 (4), 76 (2) am. -	4, ss. 1 (1) to (7), 2 (5).
		S. 73 (proviso) am. and rep. in part; ss. 74 (5), 75 (1) (7), 82 (1) rep. in part; ss. 76 (1), 122 rep.	51, s. 172.
9 Edw. 7. c. 10	Superannuation - -	Ss. 2, 3, 6 (2) restricted -	56, s. 2 (1).
9 Edw. 7. c. 13	Local Education Authorities (Medical Treatment).	Repealed - - - -	51, s. 172.
9 Edw. 7. c. 29	Education (Administrative Provisions).	Repealed - - - -	51, s. 172.
9 Edw. 7. c. 40	Police - - - - -	S. 5 rep. - - - -	31, Sch. IV.
9 Edw. 7. c. 44	Housing, Town Planning, &c.	S. 15 virt. am.; s. 15 (5) rep. in part.	19, s. 5., Sch.
10 Edw. 7. c. 8	Finance (1909–10) - -	S. 63 restricted - - -	32, s. 44.
10 Edw. 7 and 1 Geo. 5. c. 10.	Police Act, 1890 (Amendment).	Repealed - - - -	31, Sch. IV.
10 Edw. 7 and 1 Geo. 5. c. 22.	Trusts (S.) - - -	Repealed - - - -	58, Sch. C.
10 Edw. 7 and 1 Geo. 5. c. 24.	Licensing (Consolidation) -	Ss. 55, 57, 59, 84 am.; s. 64 (saving for); s. 92 ext.; ss. 54, 56, 61, 62, Sch. VI. rep.; s. 58 (2) rep. in part.	42, ss. 6, 13 Sch. I.
10 Edw. 7 and 1 Geo. 5. c. 37.	Education (Choice of Employment).	Repealed - - - -	51, s. 172.
1 & 2 Geo. 5. c. 26.	Telephone Transfer - -	S. 5 am. - - -	57, s. 1 (5).
1 & 2 Geo. 5. c. 27.	Protection of Animals -	S. 1 (3) (*b*) am. - - -	14, s. 1.
1 & 2 Geo. 5. c. 32.	Education (Administrative Provisions) - -	Repealed with mods. -	51, s. 172.
1 & 2 Geo. 5. c. 48.	Finance - - - -	S. 17 explained - - -	32, s. 48.
1 & 2 Geo. 5. c. 55.	National Insurance -	Ss. 1 (4), 55 (3), 59 am.; s. 64 (3) rep.	12, Sch; 25, ss. 1 (1) (3), 3.
1 & 2 Geo. 5. c. 84.	City of London (Various Powers).	S. 25 rep. - - - -	31, Sch. IV.
2 & 3 Geo. 5. c. 14.	Protection of Animals (Scotland).	S. 1 (3) (*b*) am. - - -	22, s. 1.
2 & 3 Geo. 5. c. 19.	Light Railways - -	Ss. 1 (1), 2, 3, 8, 10 rep.; s. 9 (1) rep. in part; s. 1 (2) (3) virt. applied.	55, s. 68 (2), Sch. IX.
2 & 3 Geo. 5. c. 29.	Railway and Canal Traffic	Repealed - - - -	55, Sch. IX.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
3 & 4 Geo. 5. c. 33.	Temperance (S.)	S. 7 repealed	42, s. 21 (1) (*f*).
4 & 5 Geo. 5. c. 20.	Education (Provision of Meals).	Repealed	51, s. 172.
4 & 5 Geo. 5. c. 45.	Elementary Education (Defective and Epileptic Children).	Repealed	51, s. 172.
4 & 5 Geo. 5. c. 77.	Intoxicating Liquor (Temporary Restriction).	Repealed	42, s. 15 (1).
4 & 5 Geo. 5. c. 86.	Superannuation	Ext. and applied with mods. [*but see Terms*].	56, s. 2 (1).
5 & 6 Geo. 5. c. 7.	Finance	S. 11 am.	32, s. 19.
5 & 6 Geo. 5. c. 42.	Defence of the Realm (Amendment) (No. 3).	Repealed	42, s. 15 (1).
5 & 6 Geo. 5. c. 51.	Ministry of Munitions	S. 6 ext.	8, s. 1.
5 & 6 Geo. 5. c. 89.	Finance (No. 2)	Ss. 1, 8, 11, 12 cont. S. 40 (3) am.; Termination of Excess Profits Duty.	32, ss. 1, 2. 35, ss. 35, 37.
6 & 7 Geo. 5. c. 11.	Finance (New Duties)	S. 1 am.	32, ss. 7 (1), 9.
6 & 7 Geo. 5. c. 12.	Local Government (Emergency Provisions).	S. 16 rep.	12, Sch.
6 & 7 Geo. 5. c. 24.	Finance	S. 12 am.; s. 60 am. and rep. in part; ss. 10, 55 rep.	32, ss. 5, 8, 41, 47, Sch. V.
6 & 7 Geo. 5. c. 68.	New Ministries and Secretaries.	S. 13 ext.	8, s. 1.
7 & 8 Geo. 5. c. 46.	Corn Production	Rep. with mods.	48, s. 1.
7 & 8 Geo. 5. c. 62.	National Health Insurance	Sch. I. amended; s. 13 (1) prolonged; s. 22 (1) restricted.	25, s. 1.
8 & 9 Geo. 5. c. 34.	Statutory Undertakings (Temporary Increase of Charges).	Amended	44, s. 1 (3) (*b*).
8 & 9 Geo. 5. c. 39.	Education	Repealed with mods.	51, s. 172.
8 & 9 Geo. 5. c. 40.	Income Tax	Rule 3 (1) Misc. Rules Sch. D.; Rule 3 (2) Cases I. & & II. Sch. D. am.; ss. 43, 44 rep.	32, ss. 25, 26 31, Sch. V.
8 & 9 Geo. 5. c. 41.	Isle of Man (Customs)	Sch. (Part I.) cont.	40, s. 1 (1).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
8 & 9 Geo. 5. c. 51.	Police (Pensions)	Ss. 1, 2, 3, 5 rep.	31, Sch. IV.
8 & 9 Geo. 5. c. 54.	Tithe	S. 4 applied with mod.	20, s. 1.
8 & 9 Geo. 5. c. 57.	War Pensions (Administrative Provisions).	S. 9 extended	49, s. 8.
9 & 10 Geo. 5 s. 21.	Ministry of Health	S. 3 (1) (*d*) rep.	51, s. 172.
9 & 10 Geo. 5. c. 32.	Finance	S. 8 applied S. 25 am.	47, s. 1 (3). 32, s. 27 (1).
9 & 10 Geo. 5. c. 35.	Housing, Town Planning, &c.	Ss. 1, 40, 41, Part I. am.; s. 28 virt. am.; s. 20 appl. with mods.; s. 28 (3) (4) rep. in part; s. 41 (2) rep.	19, ss. 3, 5, 6, 8, Sch.
9 & 10 Geo. 5. c. 41.	Education (Compliance with Conditions of Grant).	Repealed	51, s. 172.
9 & 10 Geo. 5. c. 45.	Housing (Ireland)	Ss. 1, 33, Part I. am.; s. 16 appl. with mods.; s. 23 virt. am.; s. 23 (3) (4) rep. in part.	19, s. 10 (2), Sch.
9 & 10 Geo. 5. c. 46.	Police	Ss. 6, 13 (3) rep.	31, Sch. IV.
9 & 10 Geo. 5. c. 50.	Ministry of Transport	Affected S. 7 (1) (iii) am. and applied with mods.	55, s. 79. 59, s. 1 (2).
9 & 10 Geo. 5. c. 53.	War Pensions	S. 8 amended	49, s. 6 (1).
9 & 10 Geo. 5. c. 58.	Forestry	Proviso to s. 3 (3) suspended	61, s. 1.
9 & 10 Geo. 5. c. 59.	Land Settlement (Facilities).	S. 14 prolonged	43, s. 1.
9 & 10 Geo. 5. c. 74.	Isle of Man (Customs)	S. 2 cont.; s. 5 ext.	40, ss. 2, 6.
9 & 10 Geo. 5. c. 78.	Irish Railways (Confirmation of Agreement).	Sch. am.	59, s. 3.
9 & 10 Geo. 5. c. 97.	Land Settlement (S.)	Ss. 26 and 29 prolonged; s. 26 (2) amended.	43, ss. 1, 2.
9 & 10 Geo. 5. c. 99.	Housing (Additional Powers).	Ss. 1 (2), 2 (1), 10 am.; S. 1 (1) restricted; s. 5 rep. s. 7 (2) ext.	19, ss. 1 to 4, 6, Sch. 33, s. 2.
10 Geo. 5. c. 7	Army and Air Force (Annual).	S. 27 restricted	9, s. 11.
10 & 11 Geo. 5. c. 4.	Coal Mines (Emergency)	Amended; Sch. I. (2, 3, 5) rep.	6. s. 1.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
10 & 11 Geo. 5. c. 10.	National Health Insurance	S. 7 (1), (7) amended - -	25, s. 2.
10 & 11 Geo. 5. c. 14.	Tramways (Temporary Increase of Charges).	S. 2 rep. in part - -	55, Sch. IX.
10 & 11 Geo. 5. c. 18.	Finance - - - -	S. 9 rep.; ss. 7 (1, part,) (2) (3), 13 (2) rep. in part; ss. 11, 39, 52 (2) (ii), 56 (1) am.; s. 53 (2) (*b*) restricted; s. 58 prolonged; s. 61 ext.	32, ss. 4, 15 (2), 22 (2), 46, 54, 55, 56, 57, 59, Sch. V.
10 & 11 Geo. 5. c. 27.	City of London (Various Powers).	S. 11 rep. - - - -	31, Sch. IV.
10 & 11 Geo. 5. c. 29.	Overseas Trade (Credits and Insurance).	Extended - - - -	26, ss. 1 (2), 2.
		S. 1 am. and rep. in part; s. 3 am. and rep.; ss. 1 (1) (*a*), 2 (2) am.; s. 4 applied; Sch. rep.	65, s. 2, Sch.
10 & 11 Geo. 5. c. 30.	Unemployment Insurance	Amended [*but see Terms*] -	1, ss. 1, 2, 4, 6, 7, Sch. I. & II.;
		Ss. 7 (1) (i), 18, 25 [*but see Terms*], 41 (2), 47 (1), Sch. I. (Part II.) (*d*), Sch. II. (1) (2) (3) (6), Sch. III. (Parts I. & II.) amended. S. 17 ext. and am.; s. 27 temp. suspended; s. 44 rep.	15, ss. 1 to 14; 62, s. 6 (2).
10 & 11 Geo. 5. c. 50.	Mining Industry - -	S. 3 rep. from 1st April 1921	6, s. 1 (5).
10 & 11 Geo. 5. c. 58.	Shops (Early Closing) -	Sch., Parts I. & II. ext. -	60, s. 1.
10 & 11 Geo. 5. c. 60.	Isle of Man (Customs) -	S. 2 (2) virt. rep. - -	40, s. 1 (2).
10 & 11 Geo. 5. c. 67.	Government of Ireland -	S. 6 affected - - -	15, s. 15; 19, s. 10 (6); 21, s. 17 (3); 25, s. 4; 38, s. 2 (2); 62, s. 9 (2); 66, s. 3 (2); 68, s. 8 (2) (*c*).
10 & 11 Geo. 5. c. 71.	Housing (Scotland) - -	S. 2 am. - - - -	33, s. 1.
10 & 11 Geo. 5. c. 73.	Expiring Laws Continuance.	Sch. Part I. restricted -	55, Sch. IX.
10 & 11 Geo. 5. c. 76.	Agriculture - - -	S. 10 explained; s. 12 (pro proviso 4), Sch. I. am.	17, s. 1 (1) (2) (3).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 11 & 12 Geo. 5.
10 & 11 Geo. 5. c. 76.	Corn Production - -	Part I. rep. with mods.; s. 12 amended; s. 15 (1) repealed.	48, ss. 1, 5, 6.
10 & 11 Geo. 5. c. 78.	Juries (Emergency Provisions).	S. 2 prolonged - - -	36, s. 1.
11 Geo. 5. c. 1 -	Unemployment Insurance	Amended [*but see Terms*] -	15, ss. 1 to 14.
11 Geo. 5. c. 23	War Pensions - - -	S. 8 amended - - -	49, s. 6 (1).
11 & 12 Geo. 5. c. 26.	Overseas Trade (Credit and Insurance).	Ext. s. 2 rep. - - -	62, s. 2 (1), Sch.

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1920.

THE

LOCAL AND PRIVATE ACTS

PASSED IN THE TENTH AND ELEVENTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH;

BEING THE

SECOND SESSION OF THE THIRTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

WITH AN

INDEX.

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TABLE I.

A TABLE

OF

THE TITLES OF THE LOCAL AND PRIVATE ACTS (INCLUDING THE PUBLIC ACTS OF A LOCAL CHARACTER) PASSED DURING THE SESSION

(ARRANGED ACCORDING TO CHAPTER).

10 & 11 GEORGE 5.—A.D. 1920.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 31ST MARCH 1920.

i. An Act to enable the City of Dublin Steam Packet Company to increase the nominal amount of the ordinary stock of the Company. (*City of Dublin Steam Packet Company's.*)

ii. An Act to provide for the transfer of the business of the Colonial and Foreign Banks Guarantee Corporation to the Alliance Assurance Company Limited and for other purposes. (*Colonial and Foreign Banks Guarantee Corporation* (*Transfer and Alliance Assurance*).)

iii. An Act to amend Henry Bath and Son's (Delivery Warrants) Act 1890. (*Henry Bath and Son's* (*Delivery Warrants*) *Act*, 1890 *Amendment.*)

ROYAL ASSENT, 20th May 1920.

iv. An Act to confer further powers upon Price's Patent Candle Company Limited to repeal certain provisions of its existing Acts and for other purposes. (*Price's Patent Candle Company Limited.*)

v. An Act to extend the periods limited by the Abertillery and District Water Board Acts 1910 and 1914 for the construction of certain works and for other purposes. (*Abertillery and District Water Board.*)

vi. An Act to make further provision in regard to the undertaking of the South Wales Electrical Power Distribution Company. (*South Wales Electrical Power Distribution Company.*)

vii. An Act to confer further powers on the Rugby Gas Company and for other purposes. (*Rugby Gas.*)

viii. An Act to empower the Lee Conservancy Board to prepare a scheme or schemes for the regulation and mitigation of the flooding of lands in the watershed of the River Lee and its tributaries and for other purposes. (*River Lee Watershed* (*Flood Prevention*).)

ix. An Act to extend the periods limited by the Ebbw Vale Water Act 1913 and the Ebbw Vale Urban District Council Act 1917 for the purchase of certain lands and the construction of certain works and for other purposes. (*Ebbw Vale Urban District Council.*)

x. An Act for incorporating and conferring powers on the Farmers Land Purchase Company. (*Farmers Land Purchase Company's.*)

xi. An Act to confer further powers upon the Lands Improvement Company. (*Lands Improvement Company's Amendment.*)

xii. An Act to confer powers on the Llantrisant and Llantwit Fardre Rural District Council with reference to the borrowing of money and the supply of water and for other purposes. (*Llantrisant and Llantwit Fardre Rural District Council.*)

xiii. An Act for the abandonment of the undertaking and winding-up and dissolution of Penllwyn Railway Company and for matters incidental thereto. (*Penllwyn Railway* (*Abandonment*).)

xiv. An Act to authorise the Tyne Improvement Commissioners to acquire further lands and to levy increased dues rates tolls and charges and for other purposes. (*Tyne Improvement.*)

xv. An Act for conferrng further powers upon the Great Eastern Railway Company. (*Great Eastern Railway.*)

xvi. An Act to make further provision with respect to the water undertaking of the mayor aldermen and burgesses of the borough of Lancaster. (*Lancaster Corporation Water.*)

P. xvii. An Act to confirm a Provisional Order of the Minister of Health relating to Blaydon. (*Ministry of Health Provisional Order* (1919) *Confirmation* (*Housing*).)

P. xviii. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Dublin Port Sanitary Authority the Urban Districts of Killiney and Ballybrack and Sligo and the County of Limerick. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 1).)

Royal Assent, 2nd July 1920.

xix. An Act to provide for the redemption of the debentures issued by the Humber Commercial Railway and Dock Company and for an increase of the rent payable by the Great Central Railway Company under the lease of the Humber Commercial Railway and Dock Company's undertaking. (*Humber Commercial Railway and Docks.*)

xx. An Act to authorise the Maidenhead Gas Company to acquire further lands for gasworks. (*Maidenhead Gas.*)

xxi. An Act to confer further powers on the urban district council of Risca in regard to their gas undertaking to authorise the Council to provide and run omnibuses and to make further provision for the improvement health and local government of their district and for other purposes. (*Risca Urban District Council.*)

xxii. An Act to confer powers upon the urban district council of the urban district of Llandrindod Wells in the county of Radnor with reference to the utilisation of certain springs and the provision of pump rooms and baths to confer further financial and other powers upon the Council and for other purposes. (*Llandrindod Wells Urban District Council.*)

xxiii. An Act to confer powers upon the Masham Urban District Council with regard to the supply of gas and electricity and for other purposes. (*Masham Urban District Council.*)

xxiv. An Act to confer further powers on the Severn Commissioners. (*Severn Navigation.*)

xxv. An Act to confer further powers upon the North Metropolitan Electric Power Supply Company. (*North Metropolitan Electric Power Supply*).

xxvi. An Act to alter the rates for the supply of water by the Great Yarmouth Waterworks Company and for other purposes. (*Great Yarmouth Waterworks.*)

xxvii. An Act to extend the time for the completion of street improvements at Spitalfields and to confer further powers upon the Corporation of London with respect to certain of their markets and in regard to the City of London Police and for other purposes. (*City of London* (*Various Powers*).)

xxviii. An Act to repeal the exemption from rating of certain lands reclaimed from the River Thames. (*Corporation of London* (*Rating of Reclaimed Lands*).)

xxix. An Act to confer further powers upon the Wandsworth Wimbledon and Epsom District Gas Company and for other purposes. (*Wandsworth, Wimbledon and Epsom District Gas*).

xxx. An Act to authorise the South Hants Waterworks Company to raise additional capital to confer further powers upon the Company and for other purposes. (*South Hants Water.*)

xxxi. An Act to consolidate and amend the constitution of the Governor and Company of the Bank of Scotland and to provide for the management of its affairs and for other purposes. (*Bank of Scotland.*)

xxxii. An Act to sanction and confirm the construction of waterworks by the Tees Valley Water Board to authorise the Board to construct additional waterworks to make better provision with regard to their water undertaking and for other purposes. (*Tees Valley Water.*)

xxxiii. An Act to amend the Mersey Railway Act 1900. (*Mersey Railway.*)

xxxiv. An Act to extend the period during which certain increased maximum rates dues tolls and charges may be levied by the River Wear Commissioners. (*Wear Navigation and Sunderland Dock.*)

xxxv. An Act to confer further powers on the Seaham Harbour Dock Company. (*Seaham Harbour Dock.*)

xxxvi. An Act for enabling the Tees Conservancy Commissioners further to improve the river and to reclaim further lands therefrom to create and issue new debenture stock and to raise further moneys and for other purposes. (*Tees Conservancy.*)

xxxvii. An Act to confer further powers upon the Rochester Chatham and Gillingham Gas Company. (*Rochester Chatham and Gillingham Gas.*)

xxxviii. An Act to confer further powers on the Tyneside Tramways and Tramroads Company. (*Tyneside Tramways and Tramroads.*)

xxxix. An Act to confer further powers on the Belfast City and District Water Commissioners. (*Belfast Water.*)

P. xl. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation. (*Glasgow Corporation Order Confirmation.*)

P. xli. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Motherwell and Wishaw Burghs (Amalgamation and Extension). (*Motherwell and Wishaw Burgh Order Confirmation.*)

P. xlii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine Harbour. (*Irvine Harbour Order Confirmation.*)

P. xliii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dumbarton Burgh Gas. (*Dumbarton Burgh Gas Order Confirmation.*)

P. xliv. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Metropolitan Police Act 1886. (*Metropolitan Police Provisional Order Confirmation.*)

P. xlv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Birkenhead Carlisle Carnarvon Llandudno Southampton Stockton-on-Tees and Weston-super-Mare. (*Ministry of Health Provisional Orders Confirmation* (No. 1).)

P. xlvi. An Act to confirm certain Provisional Orders of the Minister of Health relating to St. Helens Spalding Stockport Tunbridge Wells Westhoughton Wimbledon and the Middlesex Districts Joint Small-pox Hospital District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 2).)

Royal Assent, 4th August 1920.

xlvii. An Act to empower the corporation of Swansea to construct an aqueduct to consolidate the local rates leviable in the borough and to make better provision for the health local government and finance of the borough and for other purposes. (*Swansea Corporation.*)

xlviii. An Act to increase the rates and charges which may be taken in respect of the tramways of the Wrexham and District Transport Company Limited and for other purposes. (*Wrexham District Tramways.*)

xlix. An Act to increase and alter the tolls rates and dues authorised to be levied by and the borrowing powers of the Upper Mersey Navigation Commissioners and for other purposes. (*Upper Mersey Navigation.*)

l. An Act to extend the powers of the company of proprietors of the Port of Portsmouth Floating Bridge with regard to the provision and running of steam vessels to increase the tolls authorised to be taken by them to authorise them to raise additional capital and for other purposes. (*Port of Portsmouth Floating Bridge.*)

li. An Act to empower the urban district council of Wood Green to sell exchange and appropriate certain common or waste lands and to construct a new street and street improvements to make further provision with regard to the improvement health local government and finance of the district the establishment of a fund for the granting of superannuation allowances to officers and servants and for other purposes. (*Wood Green Urban District Council.*)

lii. An Act to authorise the urban district council of Newtownards to borrow further money for their gas and water undertakings to make further provision with respect to the supply of gas and water and for the improvement and local government of the district and for other purposes. (*Newtownards Urban District Council.*)

liii. An Act to confer upon the urban district council of Filey powers in relation to certain pleasure-grounds known as the Crescent Gardens and South Crescent Gardens and for other purposes. (*Filey Urban District Council.*)

liv. An Act to provide for the transfer to the St. Annes-on-the-Sea Urban District Council of the undertaking of the Blackpool St. Annes and Lytham Tramways Company Limited and to empower the Council to run tramways and for other purposes. (*St. Annes-on-the-Sea Urban District Council.*)

lv. An Act to confer further powers upon the mayor aldermen and burgesses of the county borough of Croydon in regard to their water undertaking and for other purposes. (*Croydon Corporation.*)

lvi. An Act to empower the urban district council of Gelligaer to acquire lands and to construct street improvements to confer further powers on the Council in regard to their electricity undertaking to authorise the Council to provide and run omnibuses to make further provision with regard to the improvement health local government and finance of the district and for other purposes. (*Gelligaer Urban District Council.*)

lvii. An Act to empower the mayor aldermen and burgesses of the county borough of Newport to construct additional waterworks and for other purposes. (*Newport Corporation.*)

lviii. An Act to empower the lord mayor aldermen and citizens of the city of Liverpool to construct an additional line of pipes to form part of the Vyrnwy Aqueduct and for other purposes. (*Liverpool Corporation Waterworks.*)

lix. An Act to empower the mayor aldermen and burgesses of the borough of Folkestone to provide concert halls and entertainments to make further provision for the improvement and good government of the borough to provide for the increase of the number of the council and of the wards of the borough the consolidation of rates and other matters. (*Folkestone Corporation.*)

lx. An Act to transfer and vest in the Council of the urban district of Redcar the undertaking of the Redcar Coatham Marske and Saltburn Gas Company and to authorise the Council to supply gas and for other purposes. (*Redcar Urban District Council Gas.*)

lxi. An Act to enable the Liverpool Copper Wharf Company Limited to issue transferable certificates and warrants for the delivery of goods and for other purposes. (*Liverpool Copper Wharf Company Limited* (*Delivery Warrants*).)

lxii. An Act to increase the tolls rates and charges authorised by the Londonderry Bridge Acts 1859 and 1877. (*Londonderry Bridge.*)

lxiii. An Act to provide for the consolidation of the rates of the borough of Bootle to empower the mayor aldermen and burgesses of the said borough to make further provision for the health local government and improvement of the borough and with regard to financial matters and for other purposes. (*Bootle Corporation.*)

lxiv. An Act for conferring further powers on the Eastbourne Waterworks Company and for other purposes. (*Eastbourne Waterworks.*)

lxv. An Act to empower the mayor aldermen and burgesses of the borough of Bridlington to construct a new street and street improvements to provide and run omnibuses and for other purposes. (*Bridlington Corporation.*)

lxvi. An Act to authorise the mayor aldermen and citizens of the city of Nottingham and county of the same city to construct tramways and street improvements to run motor omnibuses on additional routes and for other purposes. (*Nottingham Corporation.*)

lxvii. An Act to empower the Pontypridd Urban District Council to construct street works tramways and a tramroad to confer further powers upon them with regard to rivers and streams to make further provision in regard to the tramways and gas undertakings of the Council and for other purposes. (*Pontypridd Urban District Council.*)

lxviii. An Act to extend the boundaries of the borough of Portsmouth to authorise the Corporation of the borough to construct new tramways and to confer upon them further powers with respect to their tramway and electricity undertakings to consolidate the local rates leviable in the borough to make better provisions for the health local government and finance of the borough and for other purposes. (*Portsmouth Corporation.*)

lxix. An Act to make further provision with respect to the tramway undertaking of the Rhondda Urban District Council to authorise the Council to construct additional waterworks and for other purposes. (*Rhondda Urban District Council.*)

lxx. An Act to empower the mayor aldermen and burgesses of the borough of Wolverhampton to construct street improvements and to provide and work omnibuses to make further provision with regard to the tramway and water undertakings of the Corporation and for other purposes. (*Wolverhampton Corporation.*)

lxxi. An Act to enable the South Metropolitan Gas Company to sell gas on a heat unit basis to make new provision as to charges for the gas and application of the profits of the Company to extend the powers of the Company to amalgamate with or purchase other undertakings and for other purposes. (*South Metropolitan Gas.*)

lxxii. An Act to authorise the Mersey Docks and Harbour Board to construct further works and for other purposes. (*Mersey Docks and Harbour Board.*)

lxxiii. An Act to enable the mayor aldermen and burgesses of the borough of Huddersfield to purchase the Ramsden Estate in the borough and adjoining parish of Honley and for other purposes. (*Huddersfield Corporation* (*Lands*).)

lxxiv. An Act to constitute a Water Board for a portion of the Dearne Valley in the west riding of Yorkshire with power to acquire water undertakings and supply water and for other purposes. (*Dearne Valley Water.*)

lxxv. An Act to confer further powers upon the Londonderry Port and Harbour Commissioners and for other purposes. (*Londonderry Port and Harbour.*)

lxxvi. An Act to empower the Corporation of Halifax to construct additional tramways street widenings and improvements and to confer further powers with respect to their electricity and gas undertakings and for the consolidation of the local rates and for other purposes. (*Halifax Corporation.*)

lxxvii. An Act to authorise the mayor aldermen and burgesses of the borough of Leigh to provide and run omnibuses within and beyond the borough of Leigh and for other purposes. (*Leigh Corporation.*)

lxxviii. An Act to confer further powers on the mayor aldermen and burgesses of the borough of Sutton Coldfield. (*Sutton Coldfield Corporation.*)

lxxix. An Act to empower the urban district council of Tredegar to construct additional waterworks to make further provision with regard to the supply of water gas and electricity and for other purposes. (*Tredegar Urban District Council.*)

P. lxxx. An Act to amend the Weardale and Consett Water Act 1915 and for other purposes. (*Weardale and Consett Water.*)

lxxxi. An Act to authorise the Great Northern Railway Company to construct a new railway and widenings of railways and other works and to acquire lands and to confer further powers upon that Company to authorise the Great Northern and Great Eastern Joint Committee to construct certain works to authorise the Midland and Great Northern Railways Joint Committee to acquire certain lands and for other purposes. (*Great Northern Railway.*)

lxxxii. An Act to empower the Central London Railway Company to construct new railways and the Metropolitan District and Metropolitan Railway Companies to enlarge their Aldgate East Station to confer further powers on those companies and for other purposes. (*Central London and Metropolitan District Railway Companies* (*Works*).)

lxxxiii. An Act to alter the boundaries of the borough of Blackpool to empower the mayor aldermen and burgesses of that borough to construct tramroads a tramway a promenade street improvements and other works and for other purposes. (*Blackpool Improvement.*)

lxxxiv. An Act to authorise the Hastings Tramways Company to work a tramway authorised by the Hastings Tramways (Extensions) Act 1903 by electrical power on the overhead system and to construct the necessary works for that purpose. (*Hastings Tramways.*)

lxxxv. An Act to authorise the construction of certain new works for improving the harbour of Dover the raising of further moneys by the Dover Harbour Board and for other purposes. (*Dover Harbour.*)

P. lxxxvi. An Act to repeal and re-enact with amendments the Pontypridd Stipendiary Magistrate's Act 1872. (*Pontypridd Stipendiary Magistrate.*)

lxxxvii. An Act to extend the boundaries of the city and Royal burgh of Edinburgh and the county of the city of Edinburgh to extend the city parish of Edinburgh to transfer to and vest in the Corporation of the extended city the undertakings of the Edinburgh and District Water Trustees the Edinburgh and Leith Corporations Gas Commissioners and the Water of Leith Purification and Sewerage Commissioners to extend the limits of compulsory water supply and the limits of gas supply to construct tramways and works to provide and work motor omnibuses within the extended city to acquire lands to authorise the Corporation to make byelaws as to aviation to extend the time for the purchase of lands and completion of authorised works to borrow money to lend money to the Commissioners for the Harbour and Docks of Leith to amend and extend the Edinburgh Municipal and Police and other Acts and for other purposes. (*Edinburgh Boundaries Extension and Tramways.*)

lxxxviii. An Act to empower the mayor aldermen and citizens of the city of Coventry to construct street improvements and additional tramways to extend their powers for the running of motor omnibuses to make further provision with regard to the tramway gas electricity and water undertakings of the Corporation and with regard to the health local government and improvement of the city to provide for the consolidation of rates and for other purposes. (*Coventry Corporation.*)

lxxxix. An Act to make provision with regard to drainage of premises to dwelling-houses on low-lying lands to establishments for massage or special treatment and to employment agencies and to confer powers upon the London County Council the corporation of the city of London and the metropolitan borough councils and for other purposes. (*London County Council (General Powers).*)

xc. An Act to authorise the mayor aldermen and burgesses of the borough of Lowestoft to provide and work trolley vehicles and motor omnibuses to make further provision with regard to the supply of electricity with regard to the health local government and improvement of the borough the consolidation of the rates in the borough and for other purposes. (*Lowestoft Corporation.*)

xci. An Act to enable the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne to construct and work additional tramways and tramroads to confer upon them further powers with reference to the running of motor omnibuses and for other purposes. (*Newcastle-upon-Tyne Corporation.*)

xcii. An Act to empower the corporation of the city of Sheffield to execute certain street improvements and construct additional tramways to make better provision for the health and local government of the city to consolidate the local rates leviable in the city and for other purposes. (*Sheffield Corporation.*)

xciii. An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Southampton for the construction of tramways and to empower them to acquire lands for a hospital and for other purposes. (*Southampton Corporation.*)

xciv. An Act to authorise the Brighton and Hove General Gas Company to raise additional capital to confer further powers upon the Company and for other purposes. (*Brighton and Hove Gas.*)

xcv. An Act to make provision for the transfer of the undertaking of the City of Norwich Waterworks Company to the mayor aldermen and citizens of the city of Norwich to empower the said mayor aldermen and citizens to construct a new bridge and other works and for other purposes. (*Norwich Corporation.*)

xcvi. An Act to constitute a Water Board for the county of Durham to empower the Board to acquire the undertaking of the Weardale and Consett Water Company and to supply water within the limits of supply of that company and for other purposes. (*Durham County Water Board.*)

xcvii. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester with reference to the extension of their town hall and the construction of street improvements tramways and sewerage and other works to make further provision for the granting of superannuation allowances to their officers and servants and for other purposes. (*Manchester Corporation.*)

xcviii. An Act to authorise the South Suburban Gas Company to manufacture and store gas and residual products on certain lands and to raise additional capital and for other purposes. (*South Suburban Gas.*)

xcix. An Act for incorporating the Derwent Valley Calver and Bakewell Railway Company and authorising them to construct railways in the county of Derby and for other purposes. (*Derwent Valley Calver and Bakewell Railway.*)

P. c. An Act to confirm an agreement entered into by the Admiralty for the acquisition of a harbour at Invergordon and certain properties rights and powers in connexion therewith. (*Invergordon Harbour (Transfer).*)

P. ci. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the City of Dublin the Urban Districts of Ballymena and Larne and the Rural District of Tralee. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 2).*)

P. cii. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order (Marriages) Confirmation.*)

P. ciii. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to the Pilotage Districts of Liverpool and Manchester. (*Pilotage Orders Confirmation (No. 1).*)

P. civ. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to the Pilotage Districts of Cork Drogheda Dundalk Galway and Newry and Carlingford. (*Pilotage Orders Confirmation (No. 2).*)

P. cv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Braintree and Bocking Gas Great Marlow Gas Ilford Gas Stone Gas Taunton Gas and Watford Gas. (*Gas Orders Confirmation.*)

P. cvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Great Yarmouth Gas Mablethorpe and Sutton Gas Bristol Water East Kent District Water Mid Kent Water and South Kent Water. (*Gas and Water Orders Confirmation.*)

P. cvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Airdrie and Coatbridge Tramways. (*Airdrie and Coatbridge Tramways Order Confirmation.*)

P. cviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Corporation. (*Dundee Corporation Order Confirmation.*)

P. cvix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dunfermline and District Tramways. (*Dunfermline and District Tramways Order Confirmation.*)

P. cx. An Act to confirm certain Provisional Orders of the Minister of Health relating to Leeds Torquay Wallasey and the Saint Austell Joint Hospital District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 3).)

P. cxi. An Act to confirm certain Provisional Orders of the Minister of Health relating to Chiswick Dartford Denton Orsett (Rural) Rochdale Rotherham (Rural) Southport the Thurrock Grays and Tilbury Joint Sewerage District and the County Palatine of Lancaster. (*Ministry of Health Provisional Orders Confirmation* (*No.* 4).)

P. cxii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Bognor Bradford Keighley Southend-on-Sea Tynemouth and the Rochester and Chatham Joint Sewerage District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 5).)

P. cxiii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Bradford Brighton Buxton Fulwood Gravesend Leek Manchester Neath Paignton and the Whitchurch and District Joint Hospital District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 6).)

P. cxiv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Birkenhead Derby Dunheved otherwise Launceston Great Yarmouth Wakefield and Widnes. (*Ministry of Health Provisional Orders Confirmation* (*No.* 7).)

P. cxv. An Act to confirm a Provisional Order of the Minister of Health relating to Wallingford. (*Ministry of Health Provisional Order Confirmation* (*Gas*).)

P. cxvi. An Act to confirm a Provisional Order of the Minister of Health relating to Southampton. (*Ministry of Health Provisional Order Confirmation* (*Southampton Extension*).)

P. cxvii. An Act to confirm a Provisional Order of the Minister of Health relating to Lincoln. (*Ministry of Health Provisional Order Confirmation* (*Lincoln Extension*).)

P. cxviii. An Act to confirm a Provisional Order of the Minister of Health relating to Hertford. (*Ministry of Health Provisional Order Confirmation* (*Hertford Extension*).)

P. cxix. An Act to confirm certain Provisional Orders made by the Minister of Transport under the Tramways Act 1870 relating to Gravesend Rosherville and Northfleet Tramways (Amendment) and Warrington Corporation Tramways (Extension). (*Tramways Orders Confirmation*).)

P. cxx. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act, 1861 relating to Harwich Llanelly Newlyn Padstow and Penryn. (*Pier and Harbour Orders Confirmation* (*No.* 1).)

P. cxxi. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Blackpool Deal Eyemouth and Truro. (*Pier and Harbour Orders Confirmation (No. 2).*)

P. cxxii. An Act to confirm a Provisional Order under the Land Drainage Acts 1861 and 1918 relating to an area drained by the River Ouse and its tributaries. (*Land Drainage (Ouse) Provisional Order Confirmation.*)

Royal Assent, 9th August 1920.

P. cxxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Corporation. (*Aberdeen Corporation Order Confirmation.*)

P. cxxiv. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to the Pilotage Districts of the Clyde Dundee Fraserburgh and Peterhead. (*Pilotage Orders Confirmation (No. 3).*)

P. cxxv. An Act to confirm a certain Provisional Order of the Local Government Board for Ireland relating to the Urban District of Lurgan. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 3).*)

P. cxxvi. An Act to confirm a Provisional Order of the Minister of Health relating to Chesterfield. (*Ministry of Health Provisional Order Confirmation (Chesterfield Extension).*)

cxxvii. An Act to constitute a water board for Mid-Glamorgan with power to acquire certain water undertakings and works to construct new works and to supply water and for other purposes. (*Mid-Glamorgan Water.*)

cxxviii. An Act to alter the wards and to increase the number of aldermen and councillors of the borough of Wallasey to authorise the Corporation to provide and work omnibuses to consolidate the rates of the borough and to confer further powers upon the Corporation with reference to the health local government and improvement of the borough and for other purposes. (*Wallasey Corporation.*)

cxxix. An Act to confer further powers on the Life Association of Scotland. (*Life Association of Scotland.*)

cxxx. An Act to provide for the transfer of the undertaking of the High Wycombe Gas Light and Coke Company Limited to the Uxbridge Gas Company to extend the limits of supply of the latter company and to change their name and for other purposes. (*Uxbridge and Wycombe District Gas.*)

cxxxi. An Act to authorise the acquisition and management by the urban district council of Exmouth for recreation and other purposes of lands and foreshore within their district and for other purposes. (*Exmouth Urban District Council.*)

cxxxii. An Act to provide for the substitution of a memorandum and articles of association for the provisions of the contracts of copartnery Royal Charter and private Acts now constituting and governing the North British and Mercantile Insurance Company and for the registration of the Company under the Companies Acts 1908 to 1917 as a company limited by shares and for other purposes. (*North British and Mercantile Insurance Company's.*)

cxxxiii. An Act to authorise Lever Brothers Limited to construct wharves a railway and other works in the parish of Bromborough in the county of Chester and for other purposes. (*Lever Brothers Limited* (*Wharves and Railway*).)

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cxxxiv. An Act to amalgamate the City of London Court with the Mayor's Court of London and for purposes in connection therewith. (*Mayor's and City of London Court.*)

P. **cxxxv.** An Act to confirm a Provisional Order of the Minister of Health relating to New Windsor. (*Ministry of Health Provisional Order Confirmation* (*New Windsor Extension*).)

P. **cxxxvi.** An Act to confirm a Provisional Order of the Minister of Health relating to Widnes. (*Ministry of Health Provisional Order Confirmation* (*Widnes Extension*).)

P. **cxxxvii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Alloa Water. (*Alloa Water Order Confirmation.*)

P. **cxxxviii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Coatbridge Burgh. (*Coatbridge Burgh Order Confirmation.*)

P. **cxxxix.** An Act to amend the Royal Charters and Acts of Parliament relating to the Royal Bank of Scotland and to confer further powers on the Bank. (*Royal Bank of Scotland.*)

cxl. An Act to provide for the temporary guarantee by the mayor aldermen and burgesses of the borough of Sunderland over a period of years of interest upon certain mortgages created by the River Wear Commissioners and to make other provisions with respect to such mortgages and for other purposes. (*Wear Navigation and Sunderland Dock* (*Finance*).)

cxli. An Act to empower the Corporation of Merthyr Tydfil to construct a street work to provide and work omnibuses and to provide recreation grounds and to make further provision with regard to the construction of waterworks and the supply of water by the Corporation and for other purposes. (*Merthyr Tydfil Corporation.*)

cxlii. An Act to empower the lord mayor aldermen and citizens of the city of Cardiff to construct additional waterworks to construct and work new tramways and to provide and use motor omnibuses to make further provision for the improvement health and good government of the city and for other purposes. (*Cardiff Corporation.*)

cxliii. An Act to confer further powers on the mayor aldermen and burgesses of the borough of Llanelly in relation to their waterworks undertaking and for other purposes. (*Llanelly Corporation Water.*)

cxliv. An Act to confer further powers upon the Dublin Port and Docks Board to increase the maximum rates dues tolls and charges leviable by that Board and for other purposes. (*Dublin Port Docks.*)

cxlv. An Act to empower the mayor aldermen and burgesses of the borough of Huddersfield to construct tramways street improvements and other works to confer further powers upon them with respect to their several undertakings and for other purposes. (*Huddersfield Corporation* (*General Powers*).)

cxlvi. An Act to empower the mayor aldermen and burgesses of the borough of Yeovil to construct additional waterworks to increase the number of aldermen and councillors of the borough and for other purposes. (*Yeovil Corporation.*)

cxlvii. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and twenty to the thirtieth day of September one thousand nine hundred and twenty-one and for other purposes. (*London County Council* (*Money*).)

cxlviii. An Act to empower the mayor aldermen and burgesses of the county borough of Salford to make street works and improvements and to construct tramways and to provide and run motor omnibuses to confer further powers with respect to their water electric lighting and markets undertakings to make various provisions and to confer various powers in regard to the health and for the improvement and good government of the borough and for other purposes. (*Salford Corporation.*)

cxlix. An Act to confer further powers upon the Manchester Ship Canal Company and for other purposes. (*Manchester Ship Canal.*)

cl. An Act to empower the Workington Harbour and Dock Board to construct a dock extension and other works to confer upon that Board additional financial and other powers and for other purposes. (*Workington Harbour and Dock.*)

cli. An Act to increase the maximum fares rates and charges leviable by the London Electric Metropolitan District City and South London and Central London Railway Companies and to amend and repeal certain provisions as to workmen's trains and fares. (*London Electric, Metropolitan District, City and South London, and Central London Railway Companies (Fares, &c.).*)

clii. An Act to empower the lord mayor aldermen and burgesses of the city of Bristol to construct new roads and a tramroad and other works and for other purposes. (*Bristol Corporation.*)

cliii. An Act to extend the limits of supply of the Southend Gas Company to increase the standard price of the gas supplied by and to alter other financial provisions relating to the Company to empower the Company to establish profit-sharing schemes for their employees and for other purposes. (*Southend-on-Sea Gas.*)

cliv. An Act to confer further powers upon the mayor aldermen and burgesses of the city of Londonderry with respect to their electricity and water undertakings and for other purposes. (*Londonderry Corporation.*)

clv. An Act to authorise the urban district council of Erith to carry out street improvements to confer further powers upon them in regard to their tramway undertaking and to make further provision for the improvement health and local government of the district and for other purposes. (*Erith Improvement.*)

Royal Assent, 29th October 1920.

P. clvi. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Inverness Water and Gas. (*Inverness Water and Gas Order Confirmation.*)

Royal Assent, 3rd December 1920.

P. clvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Harbour. (*Aberdeen Harbour Order Confirmation.*)

P. clviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Brodick Lamlash Loch Ranza and Whiting Bay Piers. (*Brodick, Lamlash, Loch Ranza and Whiting Bay Piers Order Confirmation.*)

P. clix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Trades House of Glasgow. (*Glasgow Trades House Order Confirmation.*)

P. clx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Falkirk and District Tramways. (*Falkirk and District Tramways Order Confirmation.*)

P. clxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Paisley Corporation (Inchinnan Opening Bridge). (*Paisley Corporation (Inchinnan Opening Bridge) Order Confirmation.*)

P. clxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dumbarton Burgh and County Tramways. (*Dumbarton Burgh and County Tramways Order Confirmation.*)

P. clxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Port and Harbours of Greenock. (*Greenock Port and Harbours Order Confirmation.*)

P. clxiv. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the City of Dublin and the Rural District of Sligo. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 4).*)

clxv. An Act to confer further powers on the Derwent Valley Water Board and for other purposes. (*Derwent Valley Water.*)

Royal Assent, 23rd December 1920.

P. clxvi. An Act to confirm a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Worthing. (*Pier and Harbour Order Confirmation (No. 3).*)

P. clxvii. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Bangor (Co. Down) and Tralee and Fenit. (*Pier and Harbour Orders Confirmation (No. 4).*)

P. clxviii. An Act to confirm a scheme of the Charity Commissioners for the application or management of the Charity called the Hulme Trust Estates (Non-Educational). (*Hulme Trust Estates (Non-Educational) Scheme Confirmation.*)

P. clxix. An Act to confirm a scheme of the Charity Commissioners for the application or management of certain charities. (*Baptist Chapels Scheme Confirmation.*)

P. clxx. An Act to confirm a scheme of the Charity Commissioners for the application or management of the charity consisting of the Congregational chapel and trust property in the parish of Little Longstone in the county of Derby. (*Little Longstone Congregational Chapel Scheme Confirmation.*)

P. clxxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Lanarkshire Tramways. (*Lanarkshire Tramways Order Confirmation.*)

clxxii. An Act to empower the London County Council to make street improvements and other works and for other purposes. (*London County Council (Tramways and Improvements.*)

clxxiii. An Act to consolidate amend and extend the statutory powers of the Port of London Authority and for other purposes. (*Port of London (Consolidation).*)

PRIVATE ACT.

(Not Printed.)

ROYAL ASSENT, 27th April 1920.

An Act to dissolve the marriage of Georgiana Victoria Viscountess de Vesci of 16 Stanford Road Kensington in the County of London with Ivo Richard Vesey Viscount de Vesci a Major in the Irish Foot Guards her husband and to enable her to marry again and for other purposes. (*de Vesci's Divorce.*)

ROYAL ASSENT, 2nd July 1920.

An Act to dissolve the marriage of Jose Baroness Carbery of 5 Chester Place London in the County of London with John Baron Carbery of Castle Freke in the County of Cork Ireland and to enable her to marry again and for other purposes. (*Carbery's Divorce.*)

An Act to dissolve the marriage of Bryan Ricco Cooper of Markree Castle Collooney in the County of Sligo Major in His Majesty's Army with Marion Dorothy Cooper his now wife and to enable him to marry again and for other purposes. (*Cooper's Divorce.*)

An Act to dissolve the marriage of George Alfred White with Blanche White his now wife and to enable him to marry again and for other purposes. (*White's Divorce.*)

ROYAL ASSENT, 4th August 1920.

An Act to dissolve the marriage of John James Fife-Young with Elizabeth Frances Fife-Young his present wife and to enable him to marry again and for other purposes. (*Fife-Young's Divorce.*)

ROYAL ASSENT, 16th August 1920.

An Act to dissolve the marriage of William Frank Osborne of 18 Clifton Crescent in the county of the city of Belfast in Ireland journalist with Arabella Carmichael Osborne his now wife and to enable him to marry again and for other purposes. (*Osborne's Divorce.*)

An Act to dissolve the marriage of Richard Auchmuty Shekleton of Rosebank Holywood County Down Ireland Medical Doctor and recently a Captain in the Royal Army Medical Corps with Katherine Jessie Shekleton his now wife and to enable him to marry again and for other purposes. (*Shekleton's Divorce.*)

TABLE II.

A TABLE

OF

THE TITLES OF THE LOCAL AND PRIVATE ACTS (INCLUDING THE PUBLIC ACTS OF A LOCAL CHARACTER) PASSED DURING THE SESSION

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Baptist Chapels Scheme Confirmation. c. clxix.
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Coatbridge Burgh Order Confirmation. c. cxxxviii.

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Derwent Valley Calver and Bakewell Railway. c. xcix.
Derwent Valley Water. c. clxv.
de Vesci's Divorce.
Dover Harbour. c. lxxxv.
Dublin Port and Docks. c. cxliv.
Dumbarton Burgh and County Tramways Order Confirmation. c. clxii.
Dumbarton Burgh Gas Order Confirmation. c. xliii.
Dundee Corporation Order Confirmation. c. cviii.
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Erith Improvement. c. clv.
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Gas Orders Confirmation. c. cv.
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Hulme Trust Estates (Non-Educational) Scheme Confirmation. c. clxviii.
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Inverness Water and Gas Order Confirmation. c. clvi.
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Lanarkshire Tramways Order Confirmation. c. clxxi.
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TABLE III.

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Bedwellty Park. *See* Tredegar Urban District Council Act (c. lxxix., s. 17).

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Cooper's Divorce; to dissolve the marriage of Bryan Ricco Cooper of Marktree Castle Collooney in the County of Sligo Major in His Majesty's Army with Marion Dorothy Cooper his now wife and to enable him to marry again and for other purposes.

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County of Durham Electric Power Supply Company. *See* Newcastle-upon-Tyne Corporation Act (c. xci., ss. 12, 60).

Coventry Corporation; to empower the mayor aldermen and citizens of the city of Coventry to construct street improvements and additional tramways to extend their powers for the running of motor omnibuses to make further provision with regard to the tramway gas electricity and water undertakings of the Corporation and with regard to the health local government and improvement of the city to provide for the consolidation of rates and for other purposes - - lxxxviii

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Dorchester Rural District Council. *See* Yeovil Corporation Act (c. cxlvi., s. 21).

Dorman Long and Company Limited. *See* Tees Valley Water Act (c. xxxii., s. 19).

Dorset County Council. *See* Yeovil Corporation Act (c. cxlvi., s. 14).

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Folkestone Bathing Establishment Company, Limited. *See* Folkestone Corporation Act (c. lix., s. 23).

Folkestone Corporation; to empower the mayor aldermen and burgesses of the borough of Folkestone to provide concert halls and entertainments to make further provision for the improvement and good government of the borough to provide for the increase of the number of the council and of the wards of the borough the consolidation of rates and other matters - lix

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Gateshead Corporation. *See* Newcastle-upon-Tyne Corporation Act (c. xci., s. 20).

Gelligaer Urban District Council; to empower the urban district council of Gelligaer to acquire lands and to construct street improvements to confer further powers on the Council in regard to their electricity undertaking to authorise the Council to provide and run omnibuses to make further provision with regard to the improvement health local government and finance of the district and for other purposes - - - - lvi

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Great Northern Railway; to authorise the Great Northern Railway Company to construct a new railway and widenings of railways and other works and to acquire lands and to confer further powers upon that Company to authorise the Great Northern and Great Eastern Joint Committee to construct certain works to authorise the Midland and Great Northern Railways Joint Committee to acquire certain lands and for other purposes - - - - - - - - - - - lxxxi

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Hailes Quarries. *See* Edinburgh Boundaries Extension and Tramways Act (c. lxxxvii., s. 65).

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Hastings Corporation. *See* Hastings Tramways Act (c. lxxxiv., s. 6).

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Wear Navigation and Sunderland Dock (Finance); to provide for the temporary guarantee by the mayor aldermen and burgesses of the borough of Sunderland over a period of years of interest upon certain mortgages created by the River Wear Commissioners and to make other provisions with respect to such mortgages and for other purposes - - - - cxl

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West Ham Corporation. *See* Port of London (Consolidation) Act (c. clxxiii., ss. 240, 475).

Westhoughton; to confirm Order of Minister of Health - - xlvi

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Westminster City Council. *See* Central London and Metropolitan District Railway Companies (Works) Act (c. lxxxii., s. 44).

Weston-super-Mare; to confirm Order of Minister of Health - xlv

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Chap.

Whitchurch and District Joint Hospital District; to confirm Orders of Minister of Health - - - - - - cxiii

Whitechapel Hay and Straw Market. *See* Central London and Metropolitan District Railway Companies (Works) Act (c. lxxxii., s. 48).

White's Divorce; to dissolve the marriage of George Alfred White with Blanche White his now wife and to enable him to marry again and for other purposes.

Whiting Bay Pier. *See* Brodick, Lamlash, Loch Ranza and Whiting Bay Piers Order Confirmation Act (c. clviii.).

Widnes Corporation. *See* Liverpool Corporation Waterworks Act (c. lviii., s. 30).

Widnes; to confirm Orders of Minister of Health - - - cxiv and cxxxvi

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Wilton Estate. *See* Manchester Corporation Act (c. xcvii., s. 56).

Wimbledon; to confirm Order of Minister of Health - - xlvi

Wishaw. *See* Motherwell and Wishaw Burgh Order Confirmation Act (c. xli.).

Wolverhampton and District Electric Tramways Limited. *See* Wolverhampton Corporation Act (c. lxx., s. 14).

Wolverhampton Corporation; to empower the mayor aldermen and burgesses of the borough of Wolverhampton to construct street improvements and to provide and work omnibuses to make further provision with regard to the tramway and water undertakings of the Corporation and for other purposes - - - - - - lxx

Wombwell Council. *See* Dearne Valley Water Act (c. lxxiv., ss. 11, 15, 16).

Wood Green Urban District Council; to empower the urban district council of Wood Green to sell exchange and appropriate certain common or waste lands and to construct a new street and street improvements to make further provision with regard to the improvement health local government and finance of the district the establishment of a fund for the granting of superannuation allowances to officers and servants and for other purposes - - - - - li

Woolwich Metropolitan Borough Council. *See* Port of London (Consolidation) Act (c. clxxiii., s. 474).

Worcester, Corporation of. *See* Severn Navigation Act (c. xxiv., s. 14).

Workington Harbour and Dock; to empower the Workington Harbour and Dock Board to construct a dock extension and other works to confer upon that Board additional financial and other powers and for other purposes - - - - cl

Worthing; to confirm Order of Minister of Transport - - clxvi

Chap.

Wrecks, Power to remove. *See* Londonderry Port and Harbour Act (c. lxxv., s. 27).

Wrexham and Ellesmere Railway Company. *See* Liverpool Corporation Waterworks Act (c. lviii., s. 27).

Wrexham District Tramways; to increase the rates and charges which may be taken in respect of the tramways of the Wrexham and District Transport Company Limited and for other purposes - - - - - - xlviii

Wyre, River. *See* Lancaster Corporation Water Act (c. xvi., s. 6).

Yeovil Corporation; to empower the mayor aldermen and burgesses of the borough of Yeovil to construct additional waterworks to increase the number of aldermen and councillors of the borough and for other purposes - - - - cxlvi

Yeovil Rural District Council. *See* Yeovil Corporation Act (c. cxlvi., ss. 16, 23, 54).

Y.

Yorkshire Electric Power Company. *See* Halifax Corporation Act (c. lxxvi., s. 54).

Ystradyfodwg and Pontypridd Main Sewerage Board. *See* Cardiff Corporation Act (c. cxlii., s. 27).

1921.

THE

LOCAL AND PRIVATE ACTS

PASSED IN THE ELEVENTH AND TWELFTH YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH;

BEING THE

THIRD AND FOURTH SESSIONS OF THE THIRTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

WITH AN

INDEX.

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A TABLE

OF

THE TITLES OF THE LOCAL AND PRIVATE ACTS (INCLUDING THE PUBLIC ACTS OF A LOCAL CHARACTER) PASSED DURING THE SESSION

(ARRANGED ACCORDING TO CHAPTER)

11 & 12 GEORGE 5—A.D. 1921.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 28th April 1921.

i. An Act to extend the time for the completion of the bridge over the River Thames between Blackfriars and Southwark Bridges. (*Corporation of London* (*Bridge*).)

ii. An Act to convert the shares in the capital of the Chatham and District Light Railways Company into shares of one pound each and for other purposes. (*Chatham and District Light Railways Company.*)

iii. An Act to enable the Liverpool Mineral and Metal Storage Company Limited to issue transferable certificates and warrants for the delivery of goods and for other purposes. (*Liverpool Mineral and Metal Storage Company, Limited* (*Delivery Warrants*).)

iv. An Act to amend the capital powers of the South Metropolitan Gas Company and for other purposes. (*South Metropolitan Gas.*)

ROYAL ASSENT, 12th May 1921.

P. v. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Forth Conservancy. (*Forth Conservancy Order Confirmation.*)

x [1.5.22] (82)17710(17452) Wt P182—144 3750 5/22 E & S A 2 3

P. **vi.** An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to the Pilotage Outport Districts under the jurisdiction of the Corporation of the Trinity House of Deptford Strond. (*Pilotage Orders Confirmation* (*No.* 1).)

P. **vii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the North British Railway. (*North British Railway Order Confirmation.*)

viii. An Act to confer further powers on the Ionian Bank Limited and for other purposes. (*Ionian Bank* (*Limited*).)

ix. An Act to confer further powers on the City of Oxford Motor Services Limited. (*Oxford Motor Services.*)

x. An Act to increase the rates for the supply of water by the Borough of Portsmouth Waterworks Company and for other purposes. (*Borough of Portsmouth Waterworks.*)

xi. An Act for authorising the Bristol Waterworks Company to construct new works for increasing the charges of the Company for extending their limits of supply and for other purposes. (*Bristol Waterworks.*)

Royal Assent, 1st July 1921.

P. **xii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Gas. (*Dundee Gas Order Confirmation.*)

P. **xiii.** An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Perth Burgh General Assessment. (*Perth Corporation Order Confirmation.*)

P. **xiv.** An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Hamilton Water and Gas. (*Hamilton Water and Gas Order Confirmation.*)

P. **xv.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation. (*Glasgow Corporation Order Confirmation.*)

P. **xvi.** An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to pilotage in the Pilotage Districts of Belfast Coleraine Londonderry and Portrush. (*Pilotage Orders Confirmation* (*No.* 2).)

P. **xvii.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Altrincham Ashford Barnes Gillingham and Ramsgate. (*Ministry of Health Provisional Orders Confirmation* (*No.* 1).)

P. **xviii.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Cleethorpes Loughborough Middleton Swansea and the Goole Joint Hospital District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 2).)

P. xix. An Act to confirm certain Provisional Orders of the Minister of Health relating to Chadderton Glossop Ilfracombe Kettering Padiham and the North Staffordshire Joint Small-pox Hospital District. (*Ministry of Health Provisional Orders Confirmation (No. 3).*)

xx. An Act to extend the area of supply of the Herts and Essex Waterworks Company Limited and for other purposes. (*Herts and Essex Water.*)

xxi. An Act to confer further powers on the Westgate and Birchington Water Company and for other purposes. (*Westgate and Birchington Water.*)

xxii. An Act to confer further powers on the Cambridge University and Town Waterworks Company and for other purposes. (*Cambridge University and Town Waterworks.*)

xxiii. An Act to confer further powers on the Falmouth Docks Company to change the name of the Company and for other purposes. (*Falmouth Docks.*)

xxiv. An Act to authorise the Sutton District Water Company to construct additional waterworks and for other purposes. (*Sutton District Waterworks.*)

xxv. An Act to confer further powers upon the Corporation of Preston with reference to their water undertaking to increase the water rates harbour tolls dock rates light dues and market tolls leviable by the Corporation to make better provision for the health local government and finance of the borough of Preston to consolidate the local rates leviable in the borough and for other purposes. (*Preston Corporation.*)

xxvi. An Act for altering the rates for the supply of water by the Eastbourne Waterworks Company and for other purposes. (*Eastbourne Waterworks.*)

xxvii. An Act to increase the tolls and charges leviable by the Limerick Market Trustees and for other purposes. (*Limerick Markets.*)

xxviii. An Act to make provision with regard to the union of parishes in the city of Westminster the ownership of St. James's Vestry Hall superannuation allowances pensions and gratuities to confer various powers upon the Westminster City Council and for other purposes. (*Westminster City Council (General Powers).*)

xxix. An Act to confer powers on the Lymington Rural District Council with reference to the borrowing of money and for other purposes. (*Lymington Rural District Council.*)

Royal Assent, 28th July 1921.

xxx. An Act for extending the limits of supply of the Wrexham and East Denbighshire Water Company for authorising the Company to construct new works and to raise further capital for increasing the charges of the Company and for other purposes. (*Wrexham and East Denbighshire Water.*)

xxxi. An Act to transfer to and vest in British Dyestuffs Corporation Limited certain railways and works in the city of Manchester and for other purposes. (*British Dyestuffs Corporation, Limited* (*Railways Transfer*).)

xxxii. An Act to amend the statutory provisions relating to the Tendring Hundred Waterworks Company to confer further powers upon that Company and for other purposes. (*Tendring Hundred Water and Gas.*)

xxxiii. An Act to make further provision with respect to the Cattedown Wharves Plymouth. (*Cattedown Wharves.*)

xxxiv. An Act to transfer to and vest in the Mid-Glamorgan Water Board the water undertaking of the Bridgend (Glamorganshire) Gas and Water Company to extend the limits of the Board for the supply of water and for other purposes. (*Mid-Glamorgan Water.*)

xxxv. An Act to confer additional powers upon the North Eastern Railway Company for the construction of new railways and other works and the acquisition of lands to authorise the said Company and the Hull and Barnsley Railway Company to acquire lands and property and a portion of the undertaking of the Hedon Haven Commissioners to extend the time limited by certain Acts for the completion of works and for the compulsory purchase of land and for other purposes. (*North Eastern Railway.*)

xxxvi. An Act to enable the Earby Urban District Council to acquire the undertakings of the Earby Water Company Limited and the Kelbrook Water Company Limited and to make further provision in regard to the water supply of the district and for other purposes. (*Earby Urban District Council.*)

xxxvii. An Act to constitute and incorporate a Joint Board consisting of representatives of the urban district councils of Radcliffe and Little Lever and to transfer to and vest in such Board the undertaking of the Radcliffe and Pilkington Gas Company and for other purposes. (*Radcliffe and Little Lever Joint Gas Board.*)

xxxviii. An Act to empower the Cardiff Gas Light and Coke Company to sell gas on a heat unit basis to make new provisions as to charges for gas and the application of the profits of the Company to confer further financial powers upon the Company to extend the limits of supply and for other purposes. (*Cardiff Gas.*)

xxxix. An Act to empower the mayor aldermen and burgesses of the county borough of Croydon to purchase a well and pumping station situate within that borough from the Metropolitan Water Board to confer further powers upon them in regard to their water undertaking and for other purposes. (*Croydon Corporation Water.*)

xl. An Act to extend the time for the construction of new roads and works authorised by the Middlesex County Council (Great West Road and Finance) Act 1914 and the acquisition of lands therefor to confer further powers upon the Middlesex County Council in relation to the prevention of the pollution and obstruction of streams in the county of Middlesex to authorise the Council to establish superannuation and fire insurance funds and to regulate lying-in homes and for other purposes. (*Middlesex County Council (General Powers).*)

xli. An Act to confer further powers upon the Waltham Abbey and Cheshunt Gas and Coke Company to alter the name of the Company and for other purposes. (*Waltham and Cheshunt Gas.*)

xlii. An Act to confer further powers on the Wandsworth Wimbledon and Epsom District Gas Company and for other purposes. (*Wandsworth, Wimbledon and Epsom District Gas.*)

xliii. An Act to confer further powers on the East Surrey Water Company. (*East Surrey Water.*)

xliv. An Act to incorporate and confer powers upon the Lochaber Power Company and for other purposes. (*Lochaber Water Power.*)

xlv. An Act to amend the provisions relating to the method of charge by the Harrogate Gas Company for gas supplied by them and to the dividends on their ordinary capital to consolidate the ordinary capital of the Company to authorise the Company to raise additional capital and for other purposes. (*Harrogate Gas.*)

xlvi. An Act to authorise the mayor aldermen and burgesses of the borough of Nelson to provide and work motor omnibuses to make further provision with regard to the supply of electricity with regard to the health local government and improvement of the borough the consolidation of the rates in the borough and for other purposes. (*Nelson Corporation.*)

xlvii. An Act for authorising the Sunderland and South Shields Water Company to construct new works and to raise additional capital for increasing the charges of the Company and extending their limits of supply and for other purposes. (*Sunderland and South Shields Water.*)

xlviii. An Act to enable the Corporation of Colne to run omnibuses and to make further provision for the improvement health and good government of the borough. (*Colne Corporation.*)

xlix. An Act to empower the Swansea Gas Light Company to sell gas on a heat unit basis to make new provisions as to charges for gas and the application of the profits of the Company to raise additional capital and for other purposes. (*Swansea Gas.*)

l. An Act to empower the London County Council to acquire lands to amend the law relating to employment agencies and lying-in homes and for other purposes. (*London County Council (General Powers).*)

li. An Act to empower the lord mayor aldermen and citizens of the city of Manchester to construct an aqueduct in substitution for part of the Haweswater Aqueduct authorised by the Manchester Corporation Act 1919. (*Manchester Corporation Waterworks.*)

P. lii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the John Newland Endowment. (*John Newland Endowment Order Confirmation.*)

P. liii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Glasgow Deaf and Dumb Institution. (*Glasgow Deaf and Dumb Institution Order Confirmation.*)

P. liv. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Paisley Gas. (*Paisley Gas Order Confirmation.*)

P. lv. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to pilotage in the Pilotage Districts of Arbroath Elgin and Lossiemouth Eyemouth Irvine Thurso and Wick. (*Pilotage Orders Confirmation (No. 3).*)

P. lvi. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to the Pilotage Districts of Ballina Limerick Tralee and Fenit and Westport. (*Pilotage Orders Confirmation (No. 4).*)

P. lvii. An Act to confirm a Provisional Order of the Minister of Health relating to Dover. (*Ministry of Health Provisional Order Confirmation (Dover Extension).*)

P. lviii. An Act to confirm a Provisional Order of the Minister of Health relating to Shaftesbury. (*Ministry of Health Provisional Order Confirmation (Shaftesbury Extension).*)

P. lix. An Act to confirm a Provisional Order of the Minister of Health relating to Taunton. (*Ministry of Health Provisional Order Confirmation (Taunton Extension).*)

P. lx. An Act to confirm certain Provisional Orders of the Minister of Health relating to Bognor Paignton Westhoughton and Whiston (Rural). (*Ministry of Health Provisional Orders Confirmation* (*No.* 4).)

P. lxi. An Act to confirm certain Provisional Orders of the Minister of Health relating to Oswestry Wakefield the Cranbrook and Tenterden Joint Hospital District the Crediton Joint Cemetery District and the North East Kent United Districts. (*Ministry of Health Provisional Orders Confirmation* (*No.* 5).)

P. lxii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Broadstairs and St. Peter's Caerphilly Ripon Sheffield Southend-on-Sea Whitley and Monkseaton the Shrewsbury and Atcham Joint Hospital District and the County of Huntingdon. (*Ministry of Health Provisional Orders Confirmation* (*No.* 6).)

P. lxiii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Bournemouth Gravesend Margate and Rotherham (Rural). (*Ministry of Health Provisional Orders Confirmation* (*No.* 9).)

P. lxiv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Blandford Water Bournemouth Gas and Water Brompton Chatham Gillingham and Rochester Water and Woodbridge District Water. (*Ministry of Health Provisional Orders Confirmation* (*Water*).)

P. lxv. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the County Borough of Belfast and the Urban Districts of Enniskillen and Pembroke. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation.*).

P. lxvi. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order* (*Marriages*) *Confirmation.*)

P. lxvii. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Bridport Brighton Fowey and Llanelly. (*Pier and Harbour Orders Confirmation* (*No.* 2).)

Royal Assent, 4th August 1921.

P. lxviii. An Act to confirm a Provisional Order of the Minister of Health relating to Newcastle-under-Lyme. (*Ministry of Health Provisional Order Confirmation* (*Newcastle-under-Lyme Extension*).)

P. lxix. An Act to confirm a Provisional Order of the Minister of Health relating to Sheffield. (*Ministry of Health Provisional Order Confirmation* (*Sheffield Extension*).)

P. lxx. An Act to confirm certain Provisional Orders of the Minister of Health relating to Derby Doncaster Hemel Hempsted Newton in Mackerfield Runcorn Stockport and Swanage. (*Ministry of Health Provisional Orders Confirmation* (*No.* 7).)

P. lxxi. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to pilotage in the Pilotage Districts of Arundel Berwick and Lancaster. (*Pilotage Orders Confirmation* (*No.* 6).)

P. lxxii. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to pilotage in the Pilotage Districts of Aberdeen Ardrossan Ayr Inverness Montrose and Stonehaven. (*Pilotage Orders Confirmation* (*No.* 7).)

lxxiii. An Act to empower the mayor aldermen and burgesses of the borough of St. Helens to construct street improvements and to provide and run omnibuses within and without the borough to consolidate the rates of the borough to make further provision with regard to the tramways gas water and electricity undertakings of the Corporation and the health local government and improvement of the borough and for other purposes. (*St. Helens Corporation.*)

lxxiv. An Act to consolidate with amendments the local Acts in force within the city of Liverpool to provide for the union of the parishes therein and to consolidate the local rates leviable in the city to authorise the construction of new tramways and street improvements and to make provision in regard to the various undertakings of the Corporation to make better provision for the health local government and finance of the city and for other purposes. (*Liverpool Corporation.*)

lxxv. An Act to increase the rates for the supply of water by the Southend Waterworks Company and for other purposes. (*Southend Waterworks.*)

lxxvi. An Act to empower the mayor aldermen and burgesses of the county borough of Grimsby to construct and work tramways and to provide and work trolley vehicles to make street works and improvements to confer further powers with respect to their electricity and markets undertakings to make various provisions and to confer various powers in regard to the health and for the improvement and good government of the borough and for other purposes. (*Grimsby Corporation.*)

lxxvii. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and twenty-one to the thirtieth day of September one thousand nine hundred and twenty-two and for other purposes. (*London County Council* (*Money*).)

Royal Assent, 17th August 1921.

lxxviii. An Act to increase the tolls and charges to be demanded by the Lee Conservancy Board and the sums payable to them by the Metropolitan Water Board to enlarge the powers of the Lee Conservancy Board and for other purposes. (*Lee Conservancy.*)

lxxix. An Act for empowering the mayor aldermen and burgesses of the borough of Southampton to acquire the undertaking of the South Hants Waterworks Company for equalising the rating of the said borough and for other purposes. (*Southampton Corporation Water.*)

lxxx. An Act to amend the enactments relating to the payments to be made to the Conservators of the River Thames for the taking of water by the Metropolitan Water Board and by certain water companies to revise the tolls and charges leviable by the Conservators in respect of merchandise conveyed on and vessels using the said river and for other purposes. (*Thames Conservancy.*)

lxxxi. An Act to authorise the lease by the Minister of Transport to the London and North Western Railway Company of certain lands and works at Holyhead Harbour. (*London and North Western Railway* (*Holyhead Harbour Leasing*).)

lxxxii. An Act to alter certain of the provisions of the trust deeds regulating the issue of the preferred and deferred (North Eastern Railway) stock of the Stock Conversion and Investment Trust Limited to confer further powers on the Stock Conversion and Investment Trust Limited and upon the Railway Investment Company Limited and upon certain trustees of the Railway Investment Company Limited and for other purposes. (*Stock Conversion and Investment Trust, Limited.*)

lxxxiii. An Act to constitute a Water Board for the Rhymney Valley with power to acquire certain water undertakings and works to construct new works and to supply water and for other purposes. (*Rhymney Valley Water.*)

lxxxiv. An Act to confer further powers on the South Essex Waterworks Company to extend their limits of supply and for other purposes. (*South Essex Waterworks.*)

lxxxv. An Act to empower the Hastings Tramways Company to construct extension tramways in the county borough of Hastings and for other purposes. (*Hastings Tramways.*)

lxxxvi. An Act to confer further powers upon the mayor aldermen and burgesses of the county borough of Rotherham to make further provision with regard to the health local government and improvement of the borough to authorise the formation of a superannuation fund to provide for the consolidation of rates levied in the said borough and for other purposes. (*Rotherham Corporation.*)

lxxxvii. An Act to make provision for the transfer of the undertaking of the North Warwickshire Water Company to the mayor aldermen and citizens of the city of Coventry to establish a fund for granting superannuation allowances to officers and servants of the Corporation and for other purposes. (*Coventry Corporation.*)

lxxxviii. An Act to constitute the Lancashire County Council the drainage authority for the administrative county of the county palatine of Lancaster. (*Lancashire County Council* (*Drainage*).)

lxxxix. An Act to constitute a Water Supply Board for the Taf Fechan watershed to transfer to the Board certain waterworks and powers of the Merthyr Tydfil Corporation to authorise the Board to complete and maintain works and to supply water and for other purposes. (*Taf Fechan Water Supply.*)

xc. An Act to authorise the Slough Trading Company Limited to construct a branch canal near Slough in the county of Buckingham for the conveyance of traffic between their works and property near Slough and the Grand Junction Canal and for other purposes. (*Slough Trading Company, Limited* (*Canal*).)

xci. An Act to confirm an agreement between the corporation of Nuneaton and the corporation of Leicester with reference to the supply of water in bulk to empower the corporation of Nuneaton to construct additional waterworks to consolidate the rates of the borough and to confer further powers upon the corporation with reference to the health local government and improvement of the borough and for other purposes. (*Nuneaton Corporation.*)

xcii. An Act to authorise the Corporation of Burnley to construct a street improvement and additional waterworks to extend the time for the construction of certain waterworks authorised by the Burnley Corporation Act 1908 to make further provision with regard to the omnibus tramways water and markets undertakings of the Corporation and the health local government and improvement of the borough and for other purposes. (*Burnley Corporation.*)

xciii. An Act to empower the mayor aldermen and burgesses of the borough of Wigan to construct tramways and a public slaughter-house to provide and work omnibuses and to acquire lands for street improvements to make further provision in regard to the gas water electricity markets baths and other undertakings of the Corporation and the health local government and improvement of the borough to confer powers upon the Corporation in regard to the prevention of flooding to consolidate the rates of the borough and for other purposes. (*Wigan Corporation.*)

xciv. An Act to amend the powers of the Metropolitan Water Board of charging for water supplied by them and for other purposes. (*Metropolitan Water Board* (*Charges*).)

P. xcv. An Act to confirm a scheme of the Charity Commissioners for the application or management of the charity consisting of the Congregational chapel Sunday school burial ground and trust property in the parish of Frampton Cotterell in the county of Gloucester. (*Zion Congregational Chapel* (*Frampton Cotterell*) *Scheme Confirmation.*)

P. xcvi. An Act to confirm certain Provisional Orders of the Minister of Health relating to Ossett and Wakefield. (*Ministry of Health Provisional Orders Confirmation* (*Ossett and Wakefield Extension*).)

P. xcvii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Carmarthen Kingston-upon-Hull Llandudno Melton Mowbray Morecambe Scarborough Southport Widnes and the Shoreham and Lancing Sea Defence District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 8).)

P. xcviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Peterhead Harbours. (*Peterhead Harbours Order Confirmation.*)

P. xcix. An Act to confirm a Provisional Order under section eight of the Police Act 1893 uniting the Police and Fire Brigade Pension Funds of the City of Manchester. (*Provisional Order* (*City of Manchester Police and Fire Brigade Pension Funds*) *Confirmation.*)

P. c. An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Brixham Cowes Great Yarmouth. Limerick and Morecambe. (*Pier and Harbour Orders Confirmation* (*No.* 1).)

P. ci. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow University. (*Glasgow University* (*Dundonald Bursaries*) *Order Confirmation.*)

Royal Assent, 19th August 1921.

P. cii. An Act to confirm a Provisional Order of the Minister of Health relating to Barnsley. (*Ministry of Health Provisional Order Confirmation* (*Barnsley Extension*).)

P. ciii. An Act to confirm a Provisional Order of the Minister of Health relating to Stoke-on-Trent. (*Ministry of Health Provisional Order Confirmation* (*Stoke-on-Trent Extension*).)

P. civ. An Act to confirm certain Provisional Orders of the Minister of Health relating to Aberavon and Neath. (*Ministry of Health Provisional Orders Confirmation* (*Aberavon and Neath Extension*).)

P. cv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Bridge of Allan Water &c. (*Bridge of Allan Water &c. Order Confirmation.*)

P. cvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Corporation (Electricity Works Railway). (*Aberdeen Corporation (Electricity Works Railway) Order Confirmation.*)

P. cvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Stirlingshire and Falkirk Water. (*Stirlingshire and Falkirk Water Order Confirmation.*)

P. cviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the North British Railway (Burntisland Harbour Transfer). (*North British Railway (Burntisland Harbour Transfer) Order Confirmation.*)

P. cix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dumbarton Burgh (Water). (*Dumbarton Burgh (Water) Order Confirmation.*)

P. cx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Airdrie and Coatbridge Tramways Trust. (*Airdrie and Coatbridge Tramways Trust Order Confirmation.*)

P. cxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Grangemouth and Stirling Water. (*Grangemouth and Stirling Water Order Confirmation.*)

P. cxii. An Act to confirm certain Pilotage Orders made by the Board of Trade under the Pilotage Act 1913 relating to pilotage in the Pilotage Districts of Barry Bristol Cardiff Gloucester Llanelly Newport Port Talbot and Swansea. (*Pilotage Orders Confirmation (No. 5).*)

cxiii. An Act to empower the mayor aldermen and burgesses of the borough of Batley to construct additional waterworks to make further provision in regard to their water gas and electricity undertakings to make further provision for the improvement health and good government of the borough and for other purposes. (*Batley Corporation.*)

cxiv. An Act to extend the powers of the County of London Electric Supply Company Limited with reference to the user of certain lands and the payment of interest out of capital and for other purposes. (*County of London Electric Supply Company.*)

cxv. An Act to empower the Metropolitan Water Board to make waterworks and to acquire lands and for other purposes. (*Metropolitan Water Board (Various Powers).*)

cxvi. An Act to confer further powers upon the mayor aldermen and citizens of the city of Leicester with reference to their gas water and markets undertakings and for other purposes. (*Leicester Corporation.*)

cxvii. An Act to confer further powers upon the North Staffordshire Railway Company. (*North Staffordshire Railway.*)

cxviii. An Act to define and extend the boundaries of the borough and parish of South Shields and to alter certain wards of the borough and parish to authorise the Corporation of the borough to provide and work omnibuses and to confer upon them further powers with respect to their tramway and electricity undertakings to consolidate the local rates leviable in the borough and parish to increase the tolls to be taken for the markets and fairs to authorise a certain street improvement and the purchase of lands and to make better provisions for the health local government and finance of the borough and for other purposes. (*South Shields Corporation.*)

cxix. An Act to empower the lord mayor aldermen and citizens of the city of Manchester to construct additional gasworks and to acquire the Stretford Gas Company's undertaking to make further provision in regard to the health local government and improvement of the city and for other purposes. (*Manchester Corporation (General Powers).*)

cxx. An Act to increase the number of councillors and aldermen of the county borough of West Ham and to alter the wards of the borough and for other purposes. (*West Ham Corporation.*)

cxxi. An Act for conferring further powers upon the Rhymney and Aber Valleys Gas and Water Company and for other purposes. (*Rhymney and Aber Valleys Gas and Water.*)

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PRIVATE ACTS

PRINTED BY THE KING'S PRINTER, AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

ROYAL ASSENT, 4th August 1921.

1. An Act to confer upon Frederic Lord Wolverton and the Trustees of the property settled by an indenture of settlement dated the thirty-first day of December one thousand eight hundred and eighty-eight powers to make certain limited dispositions of the income and capital of part of the settled property for the benefit of Lord Wolverton's family and to raise certain moneys and for other purposes. (*Wolverton Estate.*)

ROYAL ASSENT, 17th August 1921.

2. An Act to confirm a conditional agreement between the Trustees of the will of the late Sir Humphrey de Trafford Baronet and the Manchester Ship Canal Company for the sale of lands forming part of the De Trafford Estates in the county of Lancaster on the terms therein appearing. (*De Trafford Estate.*)

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